

# URGE YOUR MEMBERS OF CONGRESS TO COSPONSOR THE NATIONAL RIGHT TO WORK ACT

CLICK TO SIGN YOUR PETITION NOW!

You see, the union bosses, Chuck Schumer, Nancy Pelosi and their allies are going to use every trick in the book to kill a National Right to Work bill -- and they will try to do it as quietly as possible.

The union kingpins (and their water-carriers in Congress) can't afford the consequences of having their coercive privileges publicly debated and voted on in Congress!

They don't want the American people to know that:

\*\*\* Millions of workers are forced to surrender part of every paycheck to keep their jobs.

= A

This cash funds violent "organizing" drives, a limousine lifestyle for union bigwigs, and bankrolls radical, Tax-and-Spend politicians like Chuck Schumer and Nancy Pelosi.

\*\*\* Big Labor's power is deadly to millions of small businesses.

Big Labor politicians and Obama-stacked bureaucracies have been strangling small businesses with confiscatory taxes, destructive laws and straitjacket regulations.

\*\*\* Forced Unionism exports millions of good jobs overseas.

Productivity-killing work rules, workplace class warfare, slowdowns, "sick-outs" and strikes all have taken their crippling toll, closing the doors of many businesses -- for good.

\*\*\* Billions of forced-dues dollars bankroll radical Tax-and-Spend politicians like Hillary Clinton, Chuck Schumer and Nancy Pelosi, resulting in out-of-control spending and skyrocketing taxes.

That's why it's vital you sign your petition to demonstrate to Congress and the national media the strong support for Right to Work.

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Of course, Big Labor allies in Congress may choose to obey the union bosses rather than the majority of their constituents.

That's their choice.

But time and again, when politicians defy the public and vote for forced unionism, they've paid the price with the end of their political careers!

So -- by all means -- let's have another vote and see which politicians want to end their careers in the next election.

That's why your signed petition and financial support are so important.

It's all part of the National Right to Work Committee's four-part plan to pass a National Right to Work law:

- Run TV and radio ads targeting swing votes in key states and districts.

- Contact directly by mail and email up to 10 million supporters to urge them to demand their Senators and Congressmen vote for the National Right to Work Bill.
- Brief personally the hundreds of favorable columnists, radio talk show hosts and editorial writers and bloggers nationwide who can help mobilize public opinion.
- Crank up massive, paid phone banks in the days before the vote to really make Congress feel the heat.

Of course, this whole effort will be very expensive.

An all-out media and direct-mail blitz to mobilize massive public pressure on Congress will be the key to our success.

So, to pay for the expensive ads, mailings, phone banks and other efforts, it's vital you give a special contribution to the National Right to Work Committee today.

Will you make a generous contribution of \$1,000, \$500, \$200, \$100, \$50 or \$35 to launch the next, crucial phase for ultimate passage of a National Right to Work law?

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The National Right to Work Committee has successfully beat back Big Labor's forced-dues machine for decades.

And now it's critical the Right to Work Committee have your financial support right away to put politicians' feet to the fire to bring the National Right to Work Act up for a vote.

It would be a crime to let politicians who support compulsory unionism off the hook.

Up against the forced-dues-fed, billion-dollar might of Big Labor, all you and I have on our side is truth and public opinion.

Together with the National Right to Work Committee you can make the difference.

Unlike Big Labor, the National Right to Work Committee doesn't have (or want) the power to force anyone to pay dues.

So it has to depend on the generosity of folks like you.

Some folks have already given \$500, \$1,000 and even more. For others, a contribution of \$50 or \$100 has been as much as they could afford.

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**CLICK TO SIGN YOUR PETITION NOW!**

Whatever you can do, sign your petition and include your most generous contribution.

Please don't make it easy for Chuck Schumer, Nancy Pelosi and Big Labor to destroy the National Right to Work bill.

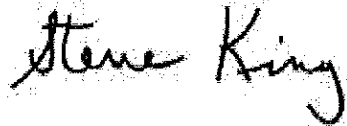
Without your contribution of \$1,000, \$500, \$200, \$100, \$50 or \$35, the National Right to Work Committee won't be able to contact 10 million Americans, place the advertising, or staff phone banks to put Big Labor on the spot.

I believe it's vital we force roll-call votes in this Congress.

It's time to put Big Labor on the defensive. Without your help, the union bosses win by default.

Please act today.

Sincerely,



Steve King  
United States Congressman (R-IA)

= A P.S. Since nearly 80% of Americans oppose Big Labor's forced-unionism powers, a public debate and vote on a National Right to Work law is Big Labor's (and its water-carriers' in Congress) worst nightmare!

So, please sign your petition to Congress. And along with your signed petition, please include your most generous contribution of \$1,000, \$500, \$200, \$100, \$50 or \$35 to the National Right to Work Committee today.

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NATIONAL RIGHT TO WORK ACT**

**CLICK TO SIGN YOUR PETITION NOW!**

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*The National Right to Work Committee is a nonprofit, nonpartisan, single-purpose citizens' organization dedicated to combating compulsory unionism through an aggressive program designed to mobilize public opposition to compulsory unionism and, at the same time, enlist public support for Right to Work legislation. The Committee's mailing address is 8001 Braddock Road, Springfield, Virginia 22160. The Committee can be contacted toll-free at 1-800-325-7892. Its web address is <http://nrtwc.org/>*

*To help the National Right to Work Committee grow, please forward this to a friend.*

*To view as a web page, please click this link: [view online](#).*

**From:** Public Policy Law360  
**Sent:** Thursday, May 4, 2017 4:22 AM  
**To:** Rep30  
**Subject:** House Passes Bill To Fund Gov't Through September



Thursday, May 4, 2017



## TOP NEWS

### House Passes Bill To Fund Gov't Through September

The House of Representatives passed a \$1.1 trillion spending deal to fund the government through September with bipartisan support Wednesday, sending the measure for a vote by the Senate before funding runs out on Friday. [Read more »](#)

### House GOP To Push AHCA Vote Thursday

House leaders plan to hold a vote Thursday to repeal the Affordable Care Act, with further tweaks to the repeal bill announced Wednesday that add \$8 billion in federal support for new high-risk pools for people with pre-existing health conditions. [Read more »](#)

### Senate Votes To Overturn Rule On State-Run Retirement Plans

The Senate on Wednesday passed a resolution to repeal a Labor Department rule that exempted states that established government-run retirement accounts for private sector employees from certain consumer protections, sending the measure to President Donald Trump. [Read more »](#)

**Analysis**

## LAW FIRMS

Addleshaw Goddard  
Allen & Overy  
Altshuler Berzon  
Baker McKenzie  
Ballard Spahr  
Bond Dickinson  
Bracewell  
Cahill Gordon  
Clifford Chance  
Clyde & Co  
DLA Piper  
Day Pitney  
Dentons  
Dewey & LeBoeuf  
Drinker Biddle  
Earthjustice  
Eversheds Sutherland  
Foley & Lardner  
Frank L. Branson  
Freshfields  
Gibson Dunn  
Goodwin  
Gould & Ratner  
Gowling WLG  
Harris Wiltshire

## **4 Things Employers Should Know About 'Comp Time' Bill**

House lawmakers on Tuesday advanced legislation that would enable U.S. businesses to give workers paid time off for overtime in lieu of cash, an option attorneys say could lower employers' overtime costs and boost employee morale, but may also open doors for wage violations and retribution claims. Here, Law360 looks at four things employers need to know about the proposed legislation as it makes its way to the Senate. [Read more »](#)

## **FTC Chair To Focus On Real Harms Over Speculative Ones**

President Donald Trump's temporary choice to lead the Federal Trade Commission vowed to focus the agency's antitrust and consumer protection enforcement on cases in which business activity has led to actual and substantial harm, suggesting on Wednesday an end to the old days of intervening in markets based on "speculative" harms. [Read more »](#)

### **Analysis**

## **Hard Bargains Could Discourage New Foreign Military Sales**

While the Trump administration may be more willing to consider a broader range of foreign military sales deals than its predecessor, its efforts to drive a hard bargain may also turn some potential customers off, making it uncertain whether it will top the record sales under the Obama administration. [Read more »](#)

## **House Passes Bills Changing FEMA Policies**

The House on Tuesday and Wednesday passed several bills to change Federal Emergency Management Agency policy, ranging from giving greater power to fire contractors to a statute of limitations on emergency grant clawbacks. [Read more »](#)

## **Pa. Commonwealth Court Hopefuls Face Off In Philly**

Herbert Smith Freehills

Hogan Lovells

Jenner & Block

Jones & Keller

Jones Day

Jones Walker

Kelley Drye

Kilpatrick Townsend

Kirkland & Ellis

Lawyers' Committee for Civil Rights

Linklaters

McCarter & English

McManis Faulkner

Michael Best

Moore & Van Allen

Morgan Lewis

Norton Rose Fulbright

Pinsent Masons

Quinn Buseck

Rumberger Kirk

Sandberg Phoenix

Seward & Kissel

Sidley Austin

Simpson Thacher

Slaughter and May

Squire Patton Boggs

Stradley Ronon

Sullivan & Cromwell

Thompson Coe

Thompson Hine

Vinson & Elkins

Wachtell Lipton

White & Case

WilmerHale

Wolf Rifkin

Zuckerman Spaeder

COMPANIES

Five Democratic candidates seeking election to Pennsylvania's Commonwealth Court debated current procedures but agreed on the significance of the intermediate appellate court at a forum hosted Wednesday by the Philadelphia Bar Association and judicial reform group Pennsylvanians for Modern Courts. [Read more »](#)

## BANKING & SECURITIES

### **Treasury GC Pick Made \$2.9M In 2016 At Sullivan & Cromwell**

President Donald Trump's nominee for general counsel to the U.S. Treasury Department, Brent McIntosh, earned \$2.9 million last year from his job as a litigation attorney and co-head of Sullivan & Cromwell LLP's cybersecurity practice, a document filed recently with the federal government shows. [Read more »](#)

### **Split 10th Circ. Won't Rethink Ruling On SEC Judges**

The Tenth Circuit on Wednesday declined to rehear its decision that in-house judges at the U.S. Securities and Exchange Commission are unconstitutional, but two judges fired back with an impassioned dissent that called the decision too sweeping to be left unheard by the full court. [Read more »](#)

### **Simpson Thacher Partner Noreika To Temporarily Lead OCC**

Simpson Thacher & Bartlett LLP partner Keith Noreika will take over the leadership at the Office of the Comptroller of the Currency on an interim basis from current Comptroller Thomas Curry when he steps down on May 5, the agency announced Wednesday. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### **EPA Sends Waters Of US Repeal Measure To White House**

The U.S. Environmental Protection Agency sent the first part of its plan to repeal and replace the

AARP Inc.  
AT&T Inc.  
Abbott Laboratories  
Air Products and Chemicals Inc.  
Alion Science and Technology Corp.  
American Bar Association  
American Council of Life Insurers  
American Immigration Lawyers Association  
American Medical Association Inc.  
Association of Corporate Counsel  
Audi AG  
BHP Billiton  
BP p.l.c.  
CVS Caremark Corporation  
Center for Strategic and International Studies  
Cetera Financial Group Inc.  
Comcast Corporation  
Conference of State Bank Supervisors  
Delaware Riverkeeper Network  
Duke Energy Corporation  
Endo International Plc  
Financial Industry Regulatory Authority Inc.  
Financial Services Roundtable  
FirstEnergy Corp  
Franklin Square Capital Partners  
General Dynamics Corporation  
HarbourVest Partners LLC  
International Brotherhood of Teamsters  
JPMorgan Chase & Co.  
Johnson Controls Inc.  
Joy Global Inc.  
LexisNexis Group  
Los Angeles Lakers



controversial Clean Water Rule to the White House for review on Tuesday. [Read more »](#)

### **Dem Govs. Urge Trump To Stay In Paris Climate Agreement**

A dozen Democratic governors on Wednesday called on President Donald Trump to reconfirm the United States' commitment to the Paris Agreement, saying that their states stand to bear the brunt of the environmental and health effects of climate change, as well as economic costs running in the tens of billions of dollars or more. [Read more »](#)

### **Enviros Say EPA Illegally Thwarting Plant Effluent Rule**

Environmental groups sued the U.S. Environmental Protection Agency in D.C. federal court Wednesday for agreeing to reconsider an Obama-era rule that set the first federal limits on how much toxic metal can be discharged with power plants' wastewater. [Read more »](#)

### **Enviros Sue To Block Trump Offshore Drilling Exec. Order**

A slew of environmental organizations filed a challenge in Alaska federal court on Wednesday against part of President Donald Trump's executive order that seeks to review which areas of the Arctic and Atlantic oceans should be opened for oil and gas drilling, arguing the action is unconstitutional. [Read more »](#)

#### **Analysis**

### **Worries Abound As FERC Quorum Shortfall Hits 3-Month Mark**

Wednesday marks the three-month anniversary of the Federal Energy Regulatory Commission losing a quorum of commissioners, and with no nominees put forth yet by the Trump administration, there's growing concern over the agency's inability to do its job. Here, various FERC stakeholders weigh in on the agency's current, and indefinite, impotence. [Read more »](#)

Lyft Inc.

Major League Soccer LLC

Milwaukee Bucks

MoneyGram International, Inc.

National Basketball Association

National Governors Association

National Right to Work Legal Defense Foundation

Natural Resources Defense Council

New Balance Inc.

Nokia Corporation

Och-Ziff Capital Management Group LLC

Office Depot Inc.

OfficeMax Incorporated

OneWest Bank Group LLC

PJM Interconnection LLC

Par Pharmaceutical Companies, Inc.

Parkland Health & Hospital System

Physicians for Social Responsibility

Planned Parenthood Federation

Prudential Financial Inc.

SIFMA

Scottrade Inc.

Sierra Club

Space Exploration Technologies Corp.

Temple University

Texas Trial Lawyers Association

The Boeing Company

Toronto-Dominion Bank

U.S. Chamber of Commerce

Uber Technologies Inc.

Volkswagen

W&T Offshore, Inc.

## IP & TECHNOLOGY

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### **Bill To Appoint Copyright Chief Introduced In Senate**

A bipartisan group of U.S. senators on Tuesday announced that they have filed a companion bill to legislation that would make the Register of Copyrights a presidentially appointed and Senate-confirmed position, after the House passed its version of the measure at the end of April. [Read more »](#)

## MEDIA & ENTERTAINMENT

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### **St. Pete Voters OK Stadium Measure For MLS Expansion Bid**

The Tampa Bay Rowdies grabbed a victory Tuesday in the team's quest to join Major League Soccer as voters in St. Petersburg, Florida, approved a referendum to move forward with the expansion of Al Lang Stadium, a crucial piece to the club's expansion bid. [Read more »](#)

## EMPLOYMENT

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### **Drivers Fight Seattle's Bid To Nix Uber, Lyft Union Law Case**

A group of independent drivers have urged a Washington state federal judge not to toss their suit against the city of Seattle challenging an ordinance allowing for-hire drivers for Uber, Lyft and other ride-hailing apps to unionize, saying federal law preempts the ordinance. [Read more »](#)

### **Fiduciary Rule Exceeds DOL's Authority, 5th Circ. Told**

Several financial industry and insurance groups told the Fifth Circuit on Tuesday that the U.S. Department of Labor exceeded its "narrow authority" and flouted longstanding distinctions between fiduciaries and salespeople in developing its fiduciary rule for retirement account advisers. [Read more »](#)

Walter Investment Management Corp

Washington Mutual Inc.

Washington Post Co.

Wells Fargo & Co.

Whole Foods Market, Inc.

## GOVERNMENT AGENCIES

Advisory Council on Historic Preservation

Army Corps of Engineers

Congressional Budget Office

Consumer Financial Protection Bureau

Department of Commerce

Executive Office for Immigration Review

Executive Office of the President

Federal Acquisition Regulatory Council

Federal Bureau of Investigation

Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Emergency Management Agency

Federal Energy Regulatory Commission

Federal Trade Commission

Food and Drug Administration

Internal Revenue Service

National Economic Council

National Institutes of Health

National Labor Relations Board

National Security Agency

Office of the Comptroller of the Currency

Office of the Director of National Intelligence

Securities and Exchange Commission

## **Senate Dems Reintroduce LGBTQ Nondiscrimination Bill**

Congressional Democrats on Tuesday reintroduced a comprehensive bill that would amend federal civil rights law to protect members of the lesbian, gay, bisexual, transgender and queer communities from discrimination in areas including the workplace, public accommodations and housing. [Read more »](#)

## **Fla. Prosecutors Back Gov. In Fight With State Atty**

Florida Gov. Rick Scott received support Wednesday in his battle with a state prosecutor he removed from 23 homicide cases from family members of the murder victims and from other state prosecutors, who said Scott was within his rights to reassign the cases after the prosecutor announced she would not seek the death penalty in a high-profile Orlando murder. [Read more »](#)

## **PRIVACY & CONSUMER PROTECTION**

### **Bulk Data Collection's End Didn't Slow NSA Down Last Year**

Though prohibited from collecting domestic surveillance information in bulk under a recent law change, the National Security Agency last year still scooped up an estimated 151 million call detail records from telecoms, according to a government report released Tuesday. [Read more »](#)

## **GOVERNMENT CONTRACTS**

### **Top GOP Lawmaker Set To Unveil DOD Acquisition Reform Bill**

House Armed Services Committee Chairman Mac Thornberry, R-Texas, is set to release an updated defense acquisition reform plan later this month intended to make the U.S. Department of Defense "run more like a business," as well as revamping how it handles

Small Business Administration

U.S. Army

U.S. Copyright Office

U.S. Customs and Border Protection

U.S. Department of Agriculture

U.S. Department of Defense

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of the Interior

U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. Immigration and Customs Enforcement

U.S. Office of Government Ethics

U.S. Office of Personnel Management

U.S. Senate

U.S. Supreme Court

World Trade Organization

contractors' intellectual property rights, he said Tuesday. [Read more »](#)

## INTERNATIONAL TRADE

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### **Azevedo Hails 'Most Dynamic' WTO Talks In Years**

World Trade Organization Director-General Roberto Azevedo said Wednesday that the debate among members looking to craft new trade rules is more "dynamic" than it has been in years, but that there is still considerable work to be done in order to reach a deal by the end of the year. [Read more »](#)

## TAX

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### **Insurer Must Pay Tax Debt Before Policyholder: 3rd Circ.**

A Third Circuit panel on Tuesday overturned a Pennsylvania district court and determined that a Pennsylvania law requiring an insurance company to pay unpaid property taxes before remitting fire insurance proceeds to a policyholder applied even if that policyholder didn't own the property. [Read more »](#)

### **Study Finds IRS Issued \$17B In Improper Tax Credits**

The IRS has refused to adopt recommendations for assessing the risk of making improper refundable tax credits despite finding that nearly a quarter, or \$16.8 billion, of Earned Income Tax Credits never should have been doled out, according to a report released Tuesday. [Read more »](#)

## IMMIGRATION

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### **2 Mass. Cities Seek Pause In Sanctuary Cities Row**

Two Massachusetts cities on Tuesday asked a federal court to stay their case challenging an executive order provision aimed at sanctuary cities, citing the recent nationwide injunction

handed down by a California court in a similar case. [Read more »](#)

### **Advocacy Group Sues DHS Over Travel Ban FOIA Requests**

Muslim Advocates has filed two suits against the Department of Homeland Security over its alleged failure to respond to Freedom of Information Act requests seeking documents related to discriminatory policies the group says have been implemented against individuals from the seven Muslim-majority countries that were subject to the Trump administration's immigration ban. [Read more »](#)

### **Site List Revealed For Jailed Immigrant Removal Program**

The American Immigration Lawyers Association published government records Tuesday showing a list of additional locations where the government may conduct in-prison deportation proceedings, identifying sites in Pennsylvania, Texas and California. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **Senator Floats Broadband Access Bill Inspired By FCC Plan**

Sen. Shelley Moore Capito, R-W.Va., introduced on Wednesday legislation to press forward on a broadband deployment plan first outlined by Federal Communications Commission Chairman Ajit Pai, saying the Gigabit Opportunity Act will incentivize investment and clear regulatory barriers. [Read more »](#)

### **Rep. Pallone Says FCC Plan Would 'Sabotage' Net Neutrality**

Federal Communications Commission Chairman Ajit Pai's proposal to roll back the 2015 Open Internet Order is an attack that supports monopolistic interests and threatens democracy, Rep. Frank Pallone, D-N.J., said Wednesday. [Read more »](#)

### **Senate Committee Urged To Improve Broadband Access**

SpaceX encouraged the Senate Committee on Commerce, Science and Transportation on Wednesday to consider satellite-based broadband services as a way to improve connectivity in rural and other underserved areas. [Read more »](#)

### **Texas Historical Group Queries FCC On Super Bowl Claim**

The Texas Historical Commission has questioned Federal Communications Commission Chairman Ajit Pai's statement that a company paid hundreds of thousands of dollars to meet historic preservation requirements for upgrades at NRG Stadium for the Super Bowl, saying the state agency has not found records to verify the claim. [Read more »](#)

## **PEOPLE**

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### **Ex-Philly Mayor Street Reinstated To Pa. Bar**

Former Philadelphia Mayor John F. Street was readmitted to the Pennsylvania bar on Monday, after the state's Supreme Court signed off on his petition for reinstatement. [Read more »](#)

## **EXPERT ANALYSIS**

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### **Immigration Door For Int'l Athletes Remains Open (For Now)**

While international athletes in the P-1 and O-1 visa categories have not been directly targeted by President Donald Trump's immigration policies at this juncture, they potentially stand to be affected in a detrimental manner, says Jordan Butler of Wolf Rifkin Shapiro Schulman & Rabkin LLP. [Read more »](#)

### **Government Contracts After The First 100 Days**

The first 100 days of the Trump administration signaled that an era of far-reaching changes in

the field of government contracting has begun, including unprecedented support for the private sector, increased defense capabilities, infrastructure development, major regulatory reform and innovation through private enterprise, says Joseph Berger of Thompson Hine LLP. [Read more »](#)

### **Time For FERC To Re-Examine Its Hydropower License Policy**

The term length of a federal hydroelectric license is a major factor in inducing a licensee to invest money in a hydroelectric project. But the relicensing process for such projects has grown unwieldy and expensive. Respondents to the Federal Energy Regulatory Commission's recent notice of inquiry on hydropower licensing terms agree on the misalignment of incentives in FERC's current policies, say attorneys with Bracewell LLP. [Read more »](#)

### **CFPB Insights On Alternative Data Use In Credit Scoring**

The growing utilization of alternative data in credit decisions and scoring models continues to attract the attention of regulators. Although clear and practical guidance remains elusive, regulator pronouncements provide some clues and takeaways for market participants, say Michael Gordon and Vaughn Stewart of WilmerHale. [Read more »](#)

### **The Wild World Of Calif. Wage Orders**

California's wage orders, some of which date back over 25 years, are an important but often overlooked feature of the employment law landscape that can trip up even the most careful employers. Two cases decided by the California Supreme Court within the last year demonstrate how decisions involving wage orders can have ripple effects for employers and employees, says Matthew Schechter of McManis Faulkner. [Read more »](#)

## **LEGAL INDUSTRY**

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### **The Top In-House Hires Of April**

Noteworthy moves to new in-house positions in April include a lawyer instrumental in Office Depot's acquisition of OfficeMax taking the top legal spot at Whole Foods and a former U.S. Securities and Exchange Commission department head changing lanes to join a trading firm. [Read more »](#)

### **Eversheds Sutherland Brand Most-Recognized In UK**

Newly merged Eversheds Sutherland is the law firm brand most recognized by the leaders of corporate legal departments in the United Kingdom, according to a report released on Wednesday. [Read more »](#)

### **NYPD Turns Probe Of Judge's Death Over To Med. Examiner**

The New York Police Department has closed its investigation into the death of New York associate appellate judge Sheila Abdus-Salaam, saying Wednesday it is now up to the NYC Office of Chief Medical Examiner to determine a cause of death. [Read more »](#)

### **Dewey Jury Reconstructing Case Piece By Piece**

The jurors weighing the New York fraud case against two former executives at defunct law firm Dewey & LeBoeuf LLP asked to revisit emails between the pair and rehear testimony from the state cooperators on Wednesday, the second full day of deliberations. [Read more »](#)

### **Plaintiffs Bar Perspective: Debbie Dudley Branson**

The most important advice I might offer to young lawyers is that we need to be consistent in doing the little things right if we want to have any hope of doing the big things right, says Debbie Dudley Branson of The Law Offices of Frank L. Branson. [Read more »](#)

#### **JOBS**

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**From:** Public Policy Law360  
**Sent:** Thursday, May 18, 2017 4:46 AM  
**To:** Rep30  
**Subject:** WilmerHale Atty, Ex-FBI Head Tapped To Lead Russia Probe



Thursday, May 18, 2017



## TOP NEWS

### **WilmerHale Atty, Ex-FBI Head Tapped To Lead Russia Probe**

The U.S. Department of Justice on Wednesday appointed WilmerHale partner Robert S. Mueller III as special counsel to head up the investigation into Russian interference with the 2016 presidential election. [Read more »](#)

### **House Votes To Add 4 Bankruptcy Judgeships**

The U.S. House of Representatives passed a bill to add four bankruptcy judges to the nation's courts Wednesday, and convert several more temporary posts to permanent ones. [Read more »](#)

### **Judiciary Presses Congress For More Funding**

The federal judiciary asked Congress on Wednesday for \$7.2 billion in discretionary funding, a 3.9 percent increase, saying the judiciary needs to preserve existing court services, ramp up cybersecurity efforts, ensure courthouse security and provide for the availability of court-appointed attorneys. [Read more »](#)

**Analysis**

## LAW FIRMS

Aldous Walker  
Carr McClellan  
Cravath Swaine  
Curtin & Heefner  
Davis Polk  
Davis Wright Tremaine  
Del Sole Cavanaugh  
Dentons  
Dowd Bloch  
Drinker Biddle  
Fennemore Craig  
Fiddler Gonzalez  
Gibson Dunn  
Herbert Smith Freehills  
Hogan Lovells  
Husch Blackwell  
Kaye McLane  
Kilpatrick Townsend  
Lawrence Beach  
Linklaters  
Littler Mendelson  
Lowenstein Sandler  
Polsinelli  
Reed Smith  
Seyfarth Shaw

### **3 Things You Should Know About The Nominee For IP Czar**

President Donald Trump has nominated Vishal Amin to be the next intellectual property enforcement coordinator, a move widely cheered by those who believe his congressional relations and strong IP background would be valuable assets. Here are three things to know ahead of his confirmation hearing. [Read more »](#)

### **House Passes Bill To Create Gov't IT Upgrade Fund**

The federal government could soon have a self-sustaining fund dedicated to replacing outdated information security and computer systems, if a bill the House of Representatives passed Wednesday becomes law. [Read more »](#)

### **Senate Bill Would Ease Stress Testing For Small Banks**

A bipartisan Senate bill introduced Wednesday would eliminate stress testing requirements on smaller banks by lifting the threshold for mandating those tests of banks' ability to survive a crisis to \$50 billion. [Read more »](#)

### **Regulatory Reform Package Clears Senate Committee**

The Senate Homeland Security Committee on Wednesday sent five regulatory reform bills to the full body for a vote, all of which are designed to make it harder for executive agencies to promulgate rules. [Read more »](#)

### **Trump Sends Senate 2 Key Tax, Economic Policy Nominees**

President Donald Trump sent a slew of appointments to the Senate for confirmation on Tuesday, including formalizing his intent to nominate Goldman Sachs executive James H. Donovan and American Enterprise Institute economist Kevin A. Hassett for key roles regarding economic and tax policy. [Read more »](#)

Shearman & Sterling  
Sidley Austin  
Simpson Thacher  
Skadden  
Steptoe & Johnson LLP  
Stoll Glickman  
Sullivan & Cromwell  
WilmerHale  
Zelle LLP

#### **COMPANIES**

Alibaba Group Holdings Ltd.  
Altman Weil Inc.  
American Bankers Association  
American Civil Liberties Union  
American Enterprise Institute  
American Federation of Government Employees  
Archer Daniels Midland Co.  
Association of Corporate Counsel  
Avis Budget Group Inc.  
Avis Rent A Car System LLC  
BASF SE  
Bankrate Inc.  
Cabela's Incorporated  
Dana-Farber Cancer Institute  
Elevate Services Inc.  
Express Scripts, Inc.  
Foundation for the National Institutes of Health  
Goldman Sachs Group Inc.  
JPMorgan Chase & Co.  
Koninklijke Vopak NV  
Lippman Jungers LLC  
NBCUniversal Inc.  
National Right to Work Legal Defense Foundation  
Natural Resources Defense Council  
NetApp, Inc.

## **Okla. Lawmakers Nix 'American Rule' In Apparent Oversight**

Litigants whose actions fail in Oklahoma could be on the hook to pay their opponents' attorneys' fees in all cases thanks to a dramatic and largely unintended revocation of the "American rule" stipulating that each party pay its own fees. [Read more »](#)

## **BANKING & SECURITIES**

Analysis

### **SEC Chair Faces Uphill Climb In Reviving IPO Market**

Newly confirmed U.S. Securities and Exchange Commission Chairman Jay Clayton's efforts to make public markets more attractive are a welcome sign for capital markets attorneys, who nonetheless caution that the SEC's ability to reverse the long-term decline in initial public offerings is limited. [Read more »](#)

### **Bipartisan Bill Again Calls For Transparency In Settlements**

Democratic U.S. Sen. Elizabeth Warren and Republican U.S. Sen. James Lankford on Tuesday reintroduced legislation requiring greater transparency of settlements companies and individuals enter into with federal agencies, including a disclosure of tax deductible amounts or other credits that affect the actual dollar figure. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **Republican Govs. Urge Trump Admin. To Stay In Paris Accord**

Two Republican governors, from Vermont and Massachusetts, urged the U.S. Department of Energy on Wednesday to reconfirm the United States' commitment to the Paris Agreement, saying their states have made progress in cutting carbon pollution but that they need national support to meet international

New York Times Co.

North American Securities  
Administrators Association

Oklahoma Association for Justice

Oklahoma Bar Association

Recording Industry Association of  
America

Royal Dutch Shell PLC

Service Employees International  
Union

Square Inc.

Turner Broadcasting System Inc.

Verizon Communications

Zeughauser Group LLC

## **GOVERNMENT AGENCIES**

Bureau of Indian Affairs

Commodity Futures Trading  
Commission

Congressional Budget Office

Consumer Financial Protection  
Bureau

Department of Commerce

Executive Office for Immigration  
Review

Federal Aviation Administration

Federal Bureau of Investigation

Federal Deposit Insurance Corp.

Federal Reserve System

Federal Trade Commission

Government Accountability Office

Indian Health Service

National Economic Council

New York Attorney General's  
Office

Occupational Safety and Health  
Review Commission

Office of the Comptroller of the  
Currency

Office of the U.S. Trade  
Representative

commitments and maintain "global economic leadership." [Read more »](#)

### **1st Circ. Says Puerto Rican Law Trumps Local Coal Ash Rules**

The First Circuit on Tuesday said that two Puerto Rico municipalities can't ban how a coal-fired power plant owner disposes of its coal ash at three landfills within their borders since a Puerto Rican agency has already approved such activities, saying commonwealth law trumps local rules. [Read more »](#)

### **Texas Chemical Co. Settles Air Pollution Claims For \$2.5M**

A Houston-area chemical storage facility will shell out \$2.5 million to the state of Texas and the U.S. Department of Justice to settle claims that it released unacceptably high levels of harmful chemicals into the air from 2012 through 2016. [Read more »](#)

## **MEDIA & ENTERTAINMENT**

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### **NY Ballot Selfie Suit Set For August Trial, September Decision**

A New York federal judge on Wednesday ordered an August trial for the issue of ballot selfies in New York over the objections of city and state election boards, telling them to expect a decision in September and that he would brook no excuses about altering their policies by Election Day should they lose. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

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### **House Panel Starts Debate On FAA, Air Traffic Control Reform**

The debate over spinning off management of the nation's air traffic control system from the FAA to a private nonprofit entity ramped up Wednesday, with the chairman of the House Transportation and Infrastructure Committee

Pennsylvania Supreme Court  
Securities and Exchange Commission  
Smithsonian Institution  
Texas Department of Insurance  
Texas Legislature  
Tohono O'odham Nation  
U.S. Coast Guard  
U.S. Customs and Border Protection  
U.S. Department of Energy  
U.S. Department of Justice  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Office of Personnel Management  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Senate Committee on Indian Affairs  
U.S. Supreme Court

making it clear that it will be among his top policy pushes this year. [Read more »](#)

## INSURANCE

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### **Proposed NY Rule Targets Auto Insurance Discrimination**

New York's Department of Financial Services on Tuesday proposed a regulation in an effort to stem discrimination that would ban auto insurers from considering work status and education level when setting rates. [Read more »](#)

## REAL ESTATE

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### **Pittsburgh Can't Impose Building Security Rules, Court Says**

A Pennsylvania appeals court said Wednesday that state law barred the city of Pittsburgh from enacting a new ordinance requiring security officers and service employees in certain commercial buildings and other public spaces to undergo training to respond to emergency situations [Read more »](#)

## EMPLOYMENT

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### **7th Circ. Questions Class Claim In Revived Union Fees Suit**

Although the U.S. Supreme Court has ruled a proposed class of nonunion Illinois home health care aides were improperly charged union fees, at least one Seventh Circuit judge indicated Wednesday she didn't believe the workers could sue over the fees as a group. [Read more »](#)

### **Pa. Appeals Court Won't Revive Pittsburgh Paid Sick Time Law**

A Pennsylvania appeals court Wednesday upheld a decision finding that the city of Pittsburgh lacked authority under state law to enact a new ordinance requiring employers to

provide workers with paid sick leave. Read more »

### **Fired NJ County Worker Can't Revive Age Bias Suit**

A New Jersey state appellate court nixed a fired Union County employee's bid to revive his age discrimination suit on Tuesday, affirming a lower court's ruling that the former worker couldn't show that his termination was anything other than a legitimate layoff due to budget cuts. Read more »

## **PRIVACY & CONSUMER PROTECTION**

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### **FTC's Definition Of Cyber Injury Getting Broader, Chief Says**

Having done a good job "clearing out the low-hanging fruit" of corporate cybersecurity safeguards for consumer data, the Federal Trade Commission's temporary chief said Wednesday that the agency is now focusing on an expanded definition of what can constitute "substantial" injury to consumers. Read more »

### **Sen. Intel Committee Wants Comey To Testify In Russia Probe**

Senate Intelligence Committee leaders said Wednesday they have asked former FBI Director James Comey to testify as part of their investigation into Russian interference with the 2016 presidential election, as Senate Democrats pushed for an investigation into U.S. Attorney General Jeff Sessions' role in Comey's firing. Read more »

## **GOVERNMENT CONTRACTS**

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### **DOD Buying Group Pushes House Panel For Rules Reform**

The Defense Department needs to slash out-of-date regulations and look at decriminalizing innocent mistakes when contractors work with the government, a commission told a House

panel Wednesday, in order to speed up government purchases. [Read more »](#)

### **Reps. Want GSA To Require Ownership Details Before Leasing**

A bipartisan pair of representatives on Tuesday introduced a bill that would require federal agencies to ensure they are aware of the true owners of any real estate leased for "high-security" purposes, intended to curb the risk of espionage. [Read more »](#)

## **TAX**

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### **GOP Sen. Floats Tax Bill To Help With Investment Expenses**

The third-ranked Republican senator introduced a tax bill Wednesday that would allow businesses investing in equipment and property to immediately write off up to \$2 million and would increase the amount of startup costs that new businesses can deduct. [Read more »](#)

### **Dems Undo Ill. Budget, Reform Deal As Republicans Cry Foul**

On the same day that Illinois' backlog of bills ballooned to a record \$14 billion, Democrats in the Illinois Senate on Wednesday passed a budget for the next fiscal year, but could not garner the votes to make agreed-upon cuts needed to actually implement the spending plan. [Read more »](#)

## **IMMIGRATION**

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### **DOJ Directive Over Immigrant Legal Representation Paused**

A Washington federal court on Wednesday moved to temporarily pause a U.S. Department of Justice directive that instructed an immigration legal services organization to stop assisting unrepresented immigrants in deportation proceedings without filing notices of appearance. [Read more »](#)



### **Senate Committee OKs Bill To Amend CBP Hiring Practices**

A U.S. Senate committee on Wednesday voted to approve a bill that would aim to address staffing shortages for U.S. Customs and Border Protection in part by relaxing a requirement that some applicants undergo a lie detector test. [Read more »](#)

### **LA Officers, Immigrants Both Seek Early Win In Detention Suit**

The Los Angeles County Sheriff's Department and the immigrants accusing it of unlawfully detaining them and denying bail based on warrantless requests from federal authorities both asked a California federal court for quick wins Tuesday, providing conflicting interpretations of the constitutionality of the departments' immigrant detention policies. [Read more »](#)

## **NATIVE AMERICAN**

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### **House Votes To Recognize Va. Native American Tribes**

The federal government could soon recognize another half dozen Native American tribes based mostly in Virginia after the U.S. House of Representatives approved a measure Wednesday that would speed the formal acknowledgement of the groups. [Read more »](#)

### **Senate Panel Passes Bill Meant To Bolster Tribal Economies**

The U.S. Senate Committee on Indian Affairs greenlighted a bill aimed at boosting economic growth and access to capital within Native American communities, the committee's chairman announced Wednesday. [Read more »](#)

### **Ariz., Tribe Reach Deal To Settle Phoenix-Area Casino Suit**

The state of Arizona and the Tohono O'odham Nation said Wednesday that they have come to an agreement to wrap up litigation between them and allow the tribe to offer Las Vegas-

style gambling at its casino near Phoenix in exchange for its agreeing not to open another casino in the area. [Read more »](#)

## EXPERT ANALYSIS

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### **NJ 'Pay To Play' Compliance Is More Important Than Ever**

New Jersey holds elections for governor, lieutenant governor and all 120 state legislative seats this year. Given that the Garden State has some of the most stringent, far-reaching and complex "pay to play" laws in the nation, it is important to review the risk areas that can arise from political contributions and fundraising, says Michael T.G. Long of Lowenstein Sandler LLP. [Read more »](#)

### **Why Calif. High Court Should Reverse Wilson V. CNN**

The California Supreme Court's upcoming decision in Wilson v. CNN has the potential to undermine the anti-SLAPP protections the California Legislature intended to provide to news and media organizations, and to interfere with those firms' ability to engage in speech unhindered by meritless discrimination claims, says Christian Foote of Carr McClellan PC. [Read more »](#)

### **Insurance Takeaways From Texas' New Hailstorm Bill**

On Wednesday, the Texas Legislature passed its new "Hailstorm Bill," intended to address several abuses that have become commonplace in the claims and litigation process. Proponents of the bill believe it will have a direct positive impact on minimizing abuses in all weather-related litigation matters, while still protecting insureds from improper claim denials, says Jennifer Gibbs of Zelle LLP. [Read more »](#)

## LEGAL INDUSTRY

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## **How Can In-House Teams Get More Value? Partner With Firms**

The Association of Corporate Counsel highlighted the "deep and innovative partnerships" forged by Littler Mendelson LLP, Reed Smith LLP and others Wednesday as the organization recognized several firms and companies for initiatives designed to increase value and efficiency in corporate legal departments. [Read more »](#)

### **Analysis**

## **Seyfarth Shaw Layoffs Could Be New Normal For BigLaw**

Tough decisions regarding attorney layoffs like those announced by Seyfarth Shaw LLP on Tuesday are likely to become commonplace in a market where demand for law firms remains sluggish, expenses are high following a pay hike for associates last year and firms are fighting to keep high profits for equity partners. [Read more »](#)

## **Mouthing Off: 4 Times Bad Manners Put Lawyers In Hot Water**

Good courtroom etiquette can be tough to define, but it's clear that cursing at a federal judge won't win a lawyer any good-citizen awards. That behavior and more from a recently suspended Illinois attorney is only the latest example in a long and loud line of lawyers whose bad manners triggered disciplinary problems. [Read more »](#)

## **Plaintiffs Bar Perspective: Aldous Walker's Brent Walker**

You have to learn how to pick your battles. Don't waste your time, money or emotional energy on conflict that does not matter to your client's case, says Brent Walker of Aldous Walker LLP. [Read more »](#)

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## **TOP NEWS** May 26, 2017

### **How Trump's health budget would impact states**

*Governing*

Medicaid, children's health insurance and chronic disease programs would be first to feel the weight of the president's proposals.

### **Wisconsin seeks to be first to drug test Medicaid applicants**

*Associated Press*

Gov. Scott Walker wants to make Wisconsin the first state in the country to require childless adults applying for Medicaid to undergo drug screening, a move that could serve as a national model. **NCSL research cited.**

### **Lawsuit asks judge to block Kentucky's right-to-work law**

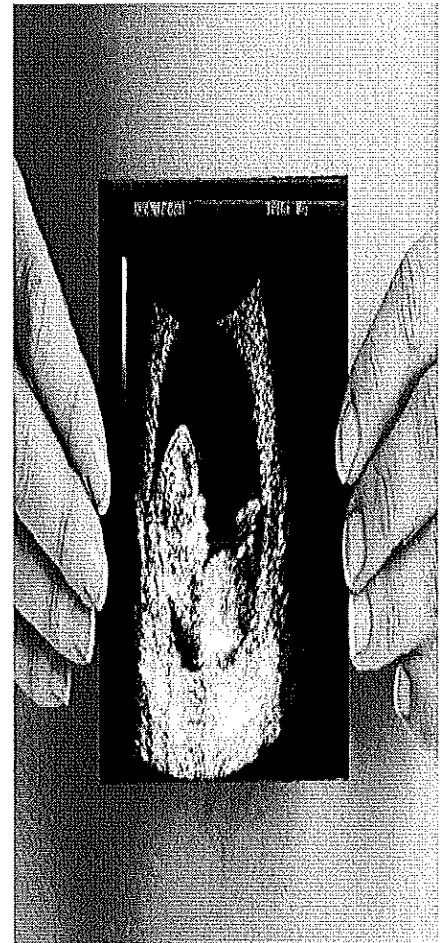
*Associated Press*

Organized labor struck back Thursday against Kentucky's right-to-work law, filing a lawsuit that claims the ban on mandatory union fees in workplaces violates the state's Constitution.

### **Montana revenues are falling behind projections**

*The Missoulian*

State tax collections are 3.8 percent lower than legislators predicted when they built the two-year budget, which could trigger cuts to programs and services at the end of fiscal year 2017.



FEATURED

### **State Legislatures magazine: Walking a tightrope**

States are balancing the rights of addicted women with the health needs of their developing babies.

NEWS@NCSL

## **Indiana lawmakers to study state's alcohol laws**

*Associated Press*

Legislative leaders formally announced Thursday that they will form a study commission to look at ways to overhaul Indiana's antiquated and confounding alcohol laws.

## **Departing from 'sanctuary cities,' some sheriffs embrace immigration enforcement role**

*Stateline*

A variety of local officials, from conservative sheriffs in Texas to a liberal county executive in New Jersey, are embracing a vigorous form of local immigration enforcement.

**Register for Legislative Summit by June 1 to get the Early Bird rate**

**Plugged In energy newsletter**

**Child welfare newsletter**



## **State Legislatures magazine: Big data can work for you**

Some say the only thing governments are good at is collecting taxes. Truth is, they're even better at collecting data. They collect so much, in fact, that the challenge for states is figuring out how best to use it all, as NCSL's Allison Hiltz reports in this month's State Legislatures magazine.



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Monday, June 5, 2017



## TOP NEWS

### Analysis

#### **Trump's Paris Redo Caveat Leaves Experts Scratching Heads**

President Donald Trump qualified his announcement that the United States will pull out of the Paris climate accord by expressing a willingness to seek a renegotiated deal or even forge a brand new one, but experts say there's no clear path to reworking the terms of the U.S.' involvement and that the global community may be reluctant to engage. [Read more »](#)

### Analysis

#### **Trump Officials' Tax Signals Have Experts In Holding Pattern**

Clients haven't given up on tax reform yet, but after a week of vague statements about what exactly the administration wants out of it, they are holding off major decisions until they can see what elements of tax reform get through Congress, experts say. [Read more »](#)

#### **Trump Admin Takes Immigration Ban Fight To Supreme Court**

## LAW FIRMS

Altshuler Berzon  
Arnold & Porter Kaye Scholer  
Baker McKenzie  
BakerHostetler  
Bracewell  
Bradley Arant  
Caplin & Drysdale  
Clarke Silverglate  
Cooley  
Covington & Burling  
Cozen O'Connor  
DLA Piper  
Earthjustice  
Epstein Becker Green  
Foley & Lardner  
Garvey Schubert  
Gibson Dunn  
Greenberg Glusker  
Greenberg Traurig  
Gupta Wessler



The Trump administration has asked the U.S. Supreme Court to review the block of President Donald Trump's revised immigration ban, along with seeking stays of the injunctions at issue, claiming in its petition to the high court that the policy isn't a "Muslim ban." [Read more »](#)

### **GOP Dodd-Frank Rewrite Heads For House Vote**

The U.S. House of Representatives will vote next week on a bill that would substantially roll back the financial regulations mandated by the 2010 Dodd-Frank Act, top Republican leaders said Friday. [Read more »](#)

#### **Analysis**

### **Straining Under Caseload, Fla. Federal Judges Hope For Help**

After years of dealing with heavier-than-average caseloads, federal judges in Florida — and those who practice in their courts — are hopeful legislation introduced by the state's U.S. senators seeking 10 new judgeships will ease the burden of busy dockets. [Read more »](#)

### **Trump Says Wine Bar Suit Must Stay In Federal Court**

President Donald Trump told a D.C. federal court on Thursday that an unfair competition suit brought by a wine bar located near his luxury hotel should remain in federal court because of the case's relation to his presidency. [Read more »](#)

## **BANKING & SECURITIES**

### **Wachtell Partner Drops Out Of DOJ Leadership Consideration**

The Wachtell Lipton Rosen & Katz LLP partner married to presidential adviser Kellyanne Conway has pulled himself out of the running for a U.S. Department of Justice job, saying he'll keep his role handling litigation tied to securities, mergers and acquisitions and antitrust matters. [Read more »](#)

Hunton & Williams  
Husch Blackwell  
Jones Day  
Jung & Sisco  
K&L Gates  
Kirkland & Ellis  
Klarquist Sparkman  
Klasko Immigration Law Partners  
Latham & Watkins  
Maxey Wann  
Mayer Brown  
McDermott Will  
Morgan Lewis  
Morrison & Foerster  
Motley Rice  
Ober Kaler  
Polsinelli  
Reed Smith  
Robins Kaplan  
Sauer & Wagner  
Schiff Hardin  
Seyfarth Shaw  
Skadden  
Sullivan & Cromwell  
Wachtell Lipton  
Waller Lansden

#### **COMPANIES**

21st Century Fox Inc.  
American Association for Justice  
American Civil Liberties Union  
American Health Care Association  
American Immigration Council  
American Immigration Lawyers Association  
Autonomy Corp.  
Catholic Legal Immigration Network Inc.  
Center for Biological Diversity Inc.

## **SEC Chair Seeks Input On Investment Adviser Conduct Rules**

Securities and Exchange Commission Chairman Jay Clayton on Thursday called for public input on conduct standards governing investment advisers and broker-dealers, vowing to work with the U.S. Department of Labor as that cabinet agency implements its own fiduciary standard for retirement advisers. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **Judge Casts Out Enviros' Bull Trout Suit Against FWS**

An Oregon federal judge on Friday agreed with a magistrate judge's recommendation to grant the U.S. Fish and Wildlife Service's bid to dismiss a complaint alleging that it hasn't done enough to protect the bull trout's cold-water habitat from global warming, rejecting objections from the environmental groups that filed the suit. [Read more »](#)

### **Challenges Combined To Revival Of Coal-Leasing Program**

A Montana federal judge on Friday agreed to consolidate two cases challenging Interior Secretary Ryan Zinke's decision in late March to lift the moratorium on the federal coal-leasing program imposed last year. [Read more »](#)

## **HEALTH & LIFE SCIENCES**

### **Health Hires: Epstein, Greenberg, McDermott, Polsinelli**

Epstein Becker Green, Greenberg Traurig LLP and McDermott Will & Emery LLP have boosted their health care groups with attorneys from Waller Lansden Dortch & Davis LLP, Reed Smith LLP and DLA Piper, respectively, and Polsinelli PC has grown its intellectual property practice with four life sciences experts. [Read more »](#)

Chevron Corporation  
Hudson City Bancorp Inc.  
Humane Society of the United States  
Ion Media Networks Inc.  
Johnson & Johnson  
M&T Bank Corporation  
McDonald's Corporation  
Mexican American Legal Defense and Education Fund  
National Association of Broadcasters  
National Association of Consumer Advocates  
National Immigration Law Center  
National Rifle Association of America  
Natural Resources Defense Council  
Russell Reynolds Associates Inc.  
Sinclair Broadcast Group, Inc.  
Tribune Media Co.  
Trump Organization Inc.  
U.S. Chamber of Commerce  
United States Telecom Association  
Univision Communications Inc.

## **GOVERNMENT AGENCIES**

Bureau of Labor Statistics  
Bureau of Land Management  
Centers for Medicare & Medicaid Services  
Congressional Budget Office  
Congressional Research Service  
Consumer Financial Protection Bureau  
Energy Information Administration  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation

## **CMS Abandons Nursing Home Arbitration Appeal**

The Centers for Medicare & Medicaid Services on Friday ditched its Fifth Circuit appeal of a decision blocking the agency's ban on mandatory nursing home arbitration, the latest signal that the ban's days may be numbered. [Read more »](#)

## **EMPLOYMENT**

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### **7th Circ. Urged To Have 2nd Look At 'Right-To-Work' Laws**

Less than three years after ruling in favor of so-called "right-to-work" laws, the Seventh Circuit is being asked to revisit its decision by a pair of Wisconsin unions that said Friday they are prepared to put the issue once again before a full bench of the court. [Read more »](#)

## **AEROSPACE & DEFENSE**

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### **Armed Services Want Extra \$32B For 'Unfunded Priorities'**

The four U.S. armed services have asked for about \$32 billion in extra funding for purchases such as additional F-35 fighter jets, according to "unfunded priorities" lists that were made public Thursday and Friday after being delivered to Congress earlier in the week. [Read more »](#)

## **INTERNATIONAL TRADE**

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### **Enviros Urge DC Circ. To Keep Elephant Hunting Trophy Ban**

Animal rights groups have asked the D.C. Circuit not to revive a challenge from the Safari Club and the National Rifle Association against the U.S. Fish and Wildlife Service's decision to ban imports of sport-hunted African elephant trophies from Zimbabwe, saying the agency has broad authority to protect threatened species. [Read more »](#)

## **TAX**

Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Emergency Management Agency  
Financial Stability Oversight Council  
Fish and Wildlife Service  
Food and Drug Administration  
Internal Revenue Service  
Judicial Conference of the United States  
Miami International Airport  
National Credit Union Administration  
National Labor Relations Board  
Northern Cheyenne Tribe  
Securities and Exchange Commission  
U.S. Army  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Supreme Court  
United Nations

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### **IRS Barred From Charging Fees For Tax Return Preparers**

The Internal Revenue Service has been ordered to refund certain fees it has been charging tax return preparers since 2011, as a federal judge sided with a class of more than a million preparers and said that the IRS lacks the authority to regulate them. [Read more »](#)

### **IMMIGRATION**

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### **San Antonio Sues To Block Texas' Immigrant Check Law**

The city of San Antonio and three nonprofits on Thursday hit the state of Texas with a suit in federal court, seeking to block a new law that allows police officers to decide how to question individuals about their immigration status, arguing that the law is unconstitutional and will incite racial profiling. [Read more »](#)

### **ICE Wrongly Restricts Detainee Access To Legal Aid, Suit Says**

A legal service organization that works with detained immigrants hit U.S. Immigration and Customs Enforcement with a lawsuit Thursday, challenging a new written policy that the group argues wrongly restricts access to legal aid. [Read more »](#)

### **TELECOMMUNICATIONS**

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### **FCC To Consider Slate Of Public Safety Issues In June**

The Federal Communications Commission's next monthly meeting will focus on several public safety-related initiatives, Chairman Ajit Pai said in a blog post on Thursday, including proposals governing an opt-out process for a nationwide first responder network and a new Amber Alert-like code for law enforcement threats. [Read more »](#)

### **DC Circ. Stays FCC Relaxing Of TV Station Ownership Limits**

The D.C. Circuit on Thursday temporarily paused a Federal Communications Commission vote reinstating a loosening of TV station ownership rules that was nixed by the Democratic-led agency last year, saying it would give the appeals court time to consider the arguments made by advocacy organizations to prevent the vote from taking effect. [Read more »](#)

### **FCC Publishes Data Service, Internet, Studio Reforms**

The Federal Communications Commission published several final and proposed rules in the Federal Register on Friday introducing reforms to business data services, jurisdictional separations, studio requirements for broadcasters and regulation of the internet. [Read more »](#)

## **FLORIDA**

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### **Fla. Gov., Legislators Have Budget Deal, Special Session Set**

Fla. Gov. Rick Scott announced Friday he will sign the 2017-18 state budget, with \$410 million in vetoes, and call back state lawmakers for a three-day special session starting Wednesday after reaching an agreement with legislative leaders on additional spending for education and economic development programs. [Read more »](#)

## **Q&A**

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### **Q&A With Klasko Immigration Law Partners' William Stock**

Immigration lawyers need to be aware that immigration restriction advocates placed in policy-level positions within agencies, and their allies in Congress, will be trying to make changes that may seem minor to the broader public but that will have enormous detrimental impacts, says William Stock of Klasko Immigration Law. [Read more »](#)

## EXPERT ANALYSIS

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### Monthly Column

#### **Congressional Forecast: June**

Members of Congress return to Washington, D.C., this week for a four-week work period before the Fourth of July recess. Many of the same issues that absorbed their attention during the first five months of the year will continue to dominate the June agenda on Capitol Hill, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

#### **9 Things To Know About Trump's Paris Agreement Decision**

After declining to recommit to the Paris climate change agreement at last week's G-7 summit, it came as little surprise that President Donald Trump announced the U.S. will withdraw from the Paris climate accord. Attorneys with Arnold & Porter Kaye Scholer LLP discuss some of the most important aspects of Trump's recent decision. [Read more »](#)

#### **The Regulatory Process And Beyond For Net Neutrality**

Last month, the Federal Communications Commission set a course to revise and replace the 2015 Open Internet Order. While polarized sides of the political spectrum and different industry players battle over how the regulatory landscape will settle, all concerned will be in danger of paying the price of uncertainty in the near term, says professor Evan Franke of George Washington University. [Read more »](#)

#### **How The FAA Is Advancing Drone Operations**

In recent months, the Federal Aviation Administration has announced a technology-based solution to provide operators of drones with geographical data on where their use is restricted. And an FAA affiliate has published a study on hazards from drone-human collisions. All this information should streamline

procedures and improve risk assessments around drone use, say Erik Dullea and Chris Sundberg of Husch Blackwell LLP. [Read more](#)

»

### **Maryland's Energy Storage Credit Has Strings Attached**

Last month, Maryland became the first state in the U.S. to offer a tax credit for energy storage systems. But its value may be limited by a cap on the total amount of credits the state will issue in a given year, questions about how partnerships may be allowed to allocate the credit between sponsors and investors, and other considerations, say attorneys at Mayer Brown LLP. [Read more](#) »

## **LEGAL INDUSTRY**

### **More Women Are GCs, But They're Not Coming From Firms**

The number of women leading Fortune 500 legal departments is higher than ever while companies increasingly select candidates from the corporate sphere to fill general counsel roles instead of turning to law firms, a new report released Friday found. [Read more](#) »

### **Legal Industry Adds 2,000 New Jobs In May**

The legal sector continued to gain momentum in 2017, adding 2,000 new jobs in May to reach its highest level in nearly four years, according to the latest employment report released Friday by the Bureau of Labor Statistics. [Read more](#) »

### **In Case You Missed It: Hottest Firms And Stories On Law360**

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more](#) »

### **BigLaw Alums Q&A: Glen Rothstein**

In my view, the unwavering commitment to embracing the battle for the inches is the

difference between winning and losing for your clients; between living and slowly dying as a practitioner and a human being, says Glen Rothstein, founder of Rothstein Law APC. Read more »

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## TOP NEWS

### Analysis

## Red-State Cities Face Uphill Battle To Keep Paris Pledge

Scores of U.S. cities say they will honor the goals laid out by the Paris climate agreement despite President Donald Trump's vow to pull out of the deal, but cities in climate-policy-resistant Republican states won't have as much leeway to clamp down on greenhouse gas

### LAW FIRMS

Akerman

Allen Norton

Baker McKenzie

Barris Sott

Brownstein Hyatt

= 9

Bush Seyferth

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emissions as their blue-state counterparts, experts say. = 9 Read more »= A

Analysis

### **Key Questions About Move To Privatize Air Traffic Control = 9**

President Donald Trump's full-throated backing of efforts to spin off air traffic control functions from the Federal Aviation Administration into a nonprofit, nongovernmental organization is an opening salvo in what's likely to be a pitched political battle over revamping a central component of the nation's air travel system. Here are several key questions that Congress will have to answer when it tackles negotiations on ATC reform. Read more »

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### **Trump Picks Kirkland & Ellis Partner For Top DOJ Enviro Spot**

President Donald Trump on Tuesday said he would nominate Kirkland & Ellis LLP partner Jeffrey Bossert Clark, who represented BP Exploration & Production Inc. during the litigation surrounding the Deepwater Horizon disaster, to serve as assistant attorney general for the U.S. Department of Justice's Environment and Natural Resources Division. Read more »

### **Michelle Lee Resigns As USPTO Director**

U.S. Patent and Trademark Office Director Michelle Lee resigned from her post on Tuesday, the Trump administration announced. Read more »

= 9

Analysis

### **IRS Service Advances Leaving Tax Pros Behind, Olson Says**

= 9 While the IRS has been working on a web-based service initiative in an attempt to overhaul the taxpayer experience, practitioner needs have largely been left out of those modernization efforts, National Taxpayer

Campbell Campbell Edwards  
Chadbourn & Parke  
Clark Hill

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Clifford Chance  
Covington & Burling  
Davis Polk

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Dickstein Shapiro  
Eagan Avenatti  
Fenwick & West  
Foster Swift

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Fraser Trebilcock  
Hart McLaughlin  
Haynes and Boone  
Hogan Lovells  
Holland & Knight  
KaiserDillon  
Kellogg Hansen  
Kirkland & Ellis  
Kotz Sangster  
Latham & Watkins  
Maddin Hauser  
McKool Smith

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Norton Rose Fulbright

Panish Shea

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Plunkett Cooney  
Proskauer Rose  
Quarles & Brady  
Reed Smith  
Sanford Heisler  
Scarinci Hollenbeck

= 9

Sedgwick LLP

Advocate Nina Olson told Law360 in a recent interview. [Read more »](#)

### **16 States Back Trump's Travel Ban In Amicus Brief**

Sixteen states filed an amicus brief in the U.S. Supreme Court on Tuesday in support of President Donald Trump's travel ban on nationals from six Muslim-majority nations, arguing that the Constitution does not protect nonresident immigrants entering the U.S. and that the court must presume the executive order was valid and drafted in good faith. = 9 [Read more »](#)

### **Senate Passes VA Reform Bill Allowing For Easier Firing**

The Senate on Tuesday passed a series of reforms to the U.S. Department of Veterans Affairs, in a bipartisan bill intended to increase whistleblower protections and allow VA managers greater ability to fire employees. [Read more »](#)

= 9 **ENERGY & ENVIRONMENTAL**  
= 9

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= 9

### **Senate Panel OKs FERC Noms, BigLaw Atty As DOI No. 2**

The Federal Energy Regulatory Commission could soon be up and running again after a Senate panel advanced two new members Tuesday, as part of a slate of President Donald Trump's nominees including a Brownstein Hyatt Farber & Schreck LLP partner for a Department of the Interior post. [Read more »](#)

= 9

House Dems Look To Institutionalize Enviro Justice Offices

Three House Democrats on Monday introduced a package of legislation intended to enshrine a commitment to environmental justice into law

Thompson Hine  
Venable LLP

### **COMPANIES**

= 9

Amazon.com Inc.

American Bar Association

= 9

American Civil Liberties Union

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County and Municipal Employees  
American International Group Inc.

= 9

Association of American Railroads  
BP p.l.c.

= 9

Broadcom Ltd.

California Teachers Association

Carlyle Group LP

Caterpillar Inc.

= 9

Chevron Corporation

Computer & Communications Industry Association

Costco Wholesale Corporation  
Entertainment Software Association

Etsy Inc.

Facebook

Federalist Society

Florida Bar Association

Google Inc.

Home Depot, Inc.

IMF Bentham Ltd.

Imperial Sugar Company

LinkedIn Corp.

Major League Soccer LLC

and ensure the White House and the U.S. Environmental Protection Agency have staffers dedicated to those issues. [Read more »](#)

### **7 Democratic AGs Challenge Trump's EPA Over Pesticide**

A coalition of seven Democratic attorneys general on Monday challenged a decision by the Trump administration's Environmental Protection Agency to delay new safety rules on a common pesticide found to harm children's development, arguing that the agency violated federal law by refusing to institute safety standards. [Read more »](#)

### **DC Circ. Won't Rethink Challenge To EPA Sewage Rule Method**

The D.C. Circuit declined Tuesday to rethink its conclusion that it lacks jurisdiction to hear an industry coalition's challenge of the U.S. Environmental Protection Agency's decision to apply the Eighth Circuit's finding that the agency improperly crafted water pollution rules only to states within that circuit court's jurisdiction. [Read more »](#)

## **MEDIA & ENTERTAINMENT**

### **Senate Dems Seek Hearing On Sinclair-Tribune Deal**

Eight Senate Democrats on Monday asked the chairmen of the Senate Commerce and Judiciary committees to conduct hearings on the proposed Tribune-Sinclair merger and on a Federal Communications Commission media ownership rule change helping make way for the deal. [Read more »](#)

### **Pa. Appeals Court Won't Revive Ex-Rep's Defamation Suit**

A Pennsylvania appellate court agreed Tuesday to throw out a former state representative's efforts to revive defamation claims against a CBS affiliate in Pittsburgh after he failed to make required filings. = 9 [Read more »](#)

Mercury Public Affairs

= 9

National Immigration Law Center

National Right to Work Legal Defense Foundation

= 9

Natural Resources Defense Council

Netflix Inc.

New York University

Pittsburgh Penguins

Range Resources Corporation

Raytheon Company

Reddit Inc.

Service Employees International Union

Sinclair Broadcast Group, Inc.

Sprint Nextel Corporation

Tencent Holdings

Tribune Media Co.

Tyler Technologies, Inc.

U.S. Chamber of Commerce

= 9

Verizon Communications

Warburg Pincus LLC

= A

## **GOVERNMENT AGENCIES**

Bureau of Citizenship and Immigration Services

= 9

Central Intelligence Agency

Congressional Budget Office

Department of Commerce

Employment and Training Administration

European Union

= 9

Executive Office of the President

Federal Aviation Administration

## REAL ESTATE

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= 9

### **NJ Developer Ducks Challenges Over Apartment Buildings**

= 9 A New Jersey state appeals court on Tuesday refused to disturb the municipal approvals granted for two apartment complexes in Elizabeth, New Jersey, knocking down challenges that the developer claims were made on behalf of a competitor. Read more »

### **Beckham Wins Approval For Miami Soccer Stadium Land Deal**

Soccer legend David Beckham on Tuesday took a major step toward bringing a Major League Soccer expansion team to Miami, Florida, as county commissioners approved a \$9 million land sale that allows his ownership group to complete a proposed stadium site near the city's downtown. Read more » = 9

## EMPLOYMENT

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### **Ill. Public Workers Take Union Fee, Rep Suits To High Court**

A pair of Illinois suits appealed to the U.S. Supreme Court on Tuesday aim to weaken the political influence of public employee unions by challenging the constitutionality of "fair share fees" paid to unions and "exclusive representation" by the unions. Read more » = 9

### **Fla. Court Affirms Governor's Veto Of Firefighters' Raise**

= A A Florida appeals court Tuesday affirmed dismissal of an unfair labor charge against the governor for vetoing a budget appropriation that granted state-employed firefighters a raise, ruling the governor has clear constitutional authority to veto specific appropriations bill provisions, and the Legislature let the veto stand. Read more » = 9

## PRIVACY & CONSUMER PROTECTION

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Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Government Accountability Office

Internal Revenue Service

International Monetary Fund

National Economic Council

= A

New York Attorney General's Office

Pennsylvania Public Utility Commission

Pennsylvania Supreme Court

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

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U.S. Department of Transportation

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U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Patent and Trademark Office

= 9

U.S. Senate

U.S. Supreme Court

Wage and Hour Division

World Trade Organization

## **Senate OKs Kellogg Hansen Partner As CIA General Counsel**

The Central Intelligence Agency could soon have a new general counsel after the Senate voted to confirm a Kellogg Hansen Todd Figel & Frederick PLLC partner and Bush administration veteran to the post Tuesday. [Read more »](#)

## **PRODUCT LIABILITY**

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### **Judge Allows Flint Residents' Constitutional Suit To Proceed**

Flint residents on Monday saw a Michigan federal court keep alive a lawsuit lodging constitutional claims against the city, its former emergency managers and some state officials for parts played in Flint's water contamination crisis. [Read more »](#)

## **= 9INTERNATIONAL TRADE**

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= 9

### **US, Mexico Reach Revised Sugar Trade Agreement**

Officials from the U.S. and Mexico announced Tuesday that they have reached an agreement in principle to revise a deal regarding the suspension of anti-dumping and countervailing duties on Mexican sugar, a move that comes after U.S. companies raised red flags over alleged flaws in the initial agreement. [Read more »](#)

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### **China Cybersecurity Law Raises Trade Concerns: Tech Group**

The Computer & Communications Industry Association told the president's National Economic Council on Monday that China's new cybersecurity law could harm trade and might violate the country's international commitments, saying the administration must urge China to

change course on the “damaging” policies.  
Read more »

TAX  
= 9

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### **Gaming Group Hits Chicago With Another 'Netflix Tax' Suit**

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A video gaming industry association joined Netflix customers in challenging Chicago's so-called Netflix tax by filing a lawsuit of its own Monday that claims an interpretation of the city's amusement tax illegally discriminates against online games. Read more »

## **IMMIGRATION**

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### **'Giuliani Memo' Moot In Travel Ban Case, Trump Admin Says**

The federal government has countered allegations that it is obstructing the release of a memo drafted by former New York Mayor Rudy Giuliani that supposedly outlines President Donald Trump's controversial travel ban, saying Monday that it's inappropriate to probe beyond Trump's stated national security purpose for the now-blocked measure. Read more »

### **Labor Sec. Signals Scrutiny Of Visa Program Abuse**

The head of the U.S. Department of Labor signaled Tuesday that the agency will be taking a tough stance on visa abuse and hinted at an increased utilization of criminal referrals, while the department noted that updates may be on the horizon for an application used for H-1B visas. Read more »

TELECOMMUNICATIONS  
= A

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## **Amazon, Mozilla Plan Net Neutrality E-Protest**

A range of online companies and advocacy groups are planning a July 12 online protest to "save net neutrality" as the Federal Communications Commission weighs nixing the Obama-era Open Internet Order, with Amazon.com Inc., Mozilla Corp. and Etsy Inc. among the participants. [Read more »](#)

## **= 9 FCC Warned Paperwork Change May Raise Pole Rates**

= 9

A Federal Communications Commission vote to nix a regulatory reporting requirement for carriers deemed unnecessary will likely lead to increased rates for pole attachments, an internet and television trade group warned Monday, undermining the agency's policy goals for broadband. [Read more »](#)

= 9

TEXAS

= 9

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## **Texas Gov. Announces July Special Legislative Session**

Texas Gov. Greg Abbott announced Tuesday that the state's Legislature will meet for a special session, beginning on July 18, to consider issues ranging from limits on local and state government spending caps to health care and social issues. = 9 [Read more »](#)

WHITE COLLAR

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## **Philly DA Can't Shake Charges Of Misusing PAC Money, Autos**

A Pennsylvania federal judge declined to dismiss charges accusing Philadelphia District Attorney Seth Williams of misusing both money from his political action committee and publicly



owned vehicles in a pair of orders issued Monday and Tuesday. [Read more »](#)

## PEOPLE

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### **Venable Hires Ex-DOJ Legislative Affairs Officials In DC**

Two former officials in the U.S. Department of Justice in charge of handling congressional affairs joined Venable LLP this week, adding to the firm's capacity to represent clients in a range of government investigations. [Read more »](#)

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### **Ex-US Sen. David Vitter Joins Butler Snow In La.**

Butler Snow PLLC said Tuesday that former U.S. Sen. David Vitter has joined the firm's business department in Louisiana, where he will help grow and shape the firm's presence in the state. [Read more »](#)

## EXPERT ANALYSIS

= 9

### **When Russia Investigations Collide**

As a former acting general counsel for the U.S. House of Representatives, I have been getting a lot of questions about what might be in store with the concurrent investigations into Russia's possible influence on the 2016 election. To grasp the potential for conflict, it's helpful to understand the key players and their respective powers, says William Pittard of KaiserDillon PLLC. [Read more »](#)

= 9

Opinion

### **Big Business Lobby Tries To Hobble Litigation Finance, Again**

In its most recent petition advocating mandatory disclosure of litigation finance, the U.S. Chamber of Commerce simply rehashes the same arguments from its previous failed efforts to convince the Committee on Rules of Practice

and Procedure of the dire implications of undisclosed funding relationships, say members of litigation funder IMF Bentham Ltd. [Read more »](#)

## LEGAL INDUSTRY

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### **3 Tips For Finding The Right Fee Arrangement**

Finding a value-based fee arrangement that works for both law firm and client can be tricky, but the process can be simplified by balancing the complexity of the work with client expectations, according to a Monday presentation at the ACC Legal Operations conference in Chicago. [Read more »](#)

= 9

### **Chadbourne Still Stalling On Discovery, Female Lawyers Say**

Chadbourne & Parke LLP is stonewalling on discovery in a \$100 million proposed gender bias class action until the firm's bid to toss the case plays out, the female attorneys behind the suit told a New York federal court Monday. [Read more »](#)

### **Davis Polk Partner In Calif. Hit By Train, Killed**

Davis Polk & Wardwell LLP partner and head of its India practice Kirtee Kapoor died on Monday after reportedly being struck by a train in a Northern California town near Menlo Park. [Read more »](#)

= 9

### **Legal Tech Download: Magic Circle AI And Hogan Lovells' App**

The world of legal technology is quickly evolving, with new products aimed at aiding lawyers coming to market in rapid succession. Here, Law360 takes a look at seven major recent developments in legal tech. [Read more »](#)

### **Latham 'Hoodwinked' IP Suit Judge, Calif. High Court Told**

Two ex-Flir Systems executives urged the California Supreme Court Tuesday to revive their malicious prosecution claims against Latham & Watkins LLP for bringing a trade secrets suit in bad faith, arguing Latham's initial success "hoodwinking" a lower court judge can't now preclude suing the firm. [Read more »](#)

### **Fla. Bar Urges 3-Judge Panels For County Court Appeals**

The Florida Bar urged the state Supreme Court on Tuesday to adopt rules requiring that appeals from county courts be heard by three-judge panels, a change some justices said could strain resources in small counties. [Read more »](#)

#### **JOBS**

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= 9

**Legal Analyst (Paralegal)**

= 9 Metropolitan Water District

Los Angeles, California

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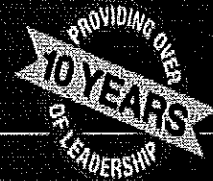


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Leadership for  
Public Charter Schools

OHIO COALITION FOR QUALITY EDUCATION



## Constellation Schools - parents 'sign up' for Parents for Charter Schools

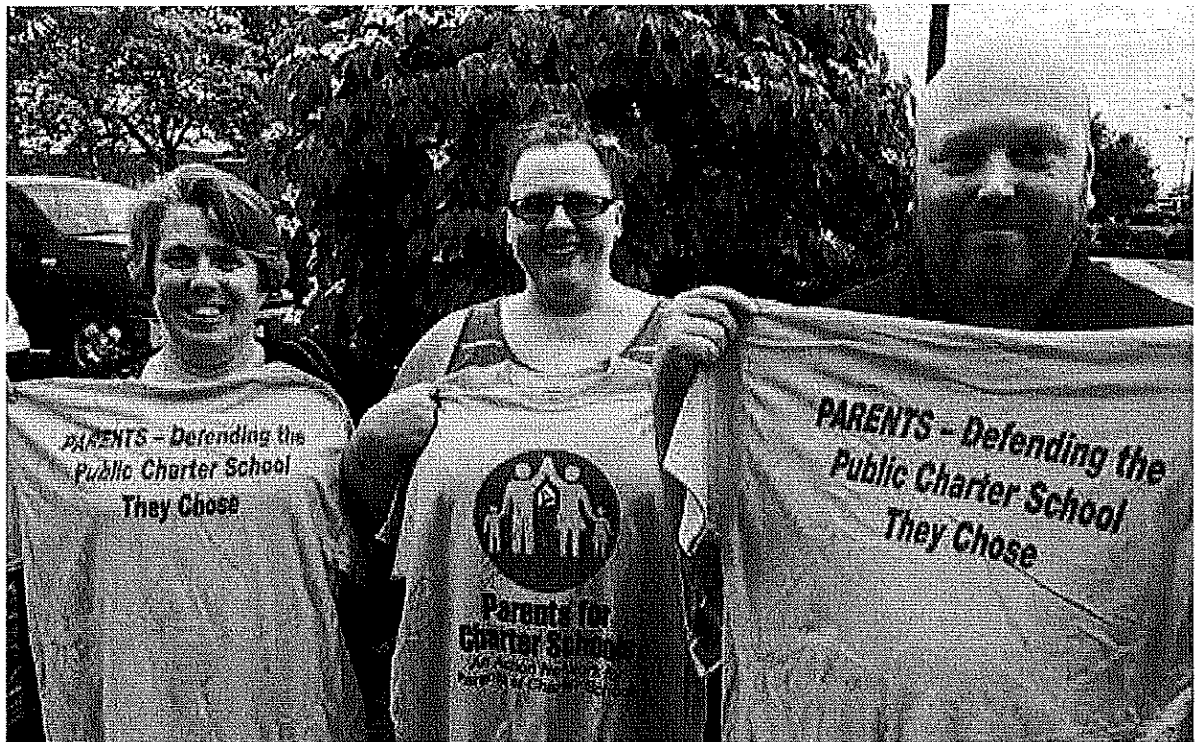
Constellation Schools is a premier management company of 21 outstanding public charter schools, all located within the greater Cleveland area. More parents want to defend their child's education and protect the public charter school that they chose. That's why they are signing up for - Parents for Charter Schools.

**[www.parents-charters.org](http://www.parents-charters.org)**

**Lorain Community parents - Ms. Turner and Ms. Brown**



**Elyria Community parents - Ms. Janus, Ms. Hillbery and Mr. Wall**



Each parent told their story about why they chose their Constellation School and why they feel passionate about their charter school. And they all gave the same reasons:

- \* They love the small class sizes
- \* The principal knows the names of every student
- \* Their charter school offers a safe environment for their child
- \* They love that parents are welcome in their charter school
- \* They truly appreciate the character development that their charter school offers
- \* Their child is excelling and are so happy at their charter school



Rebecca L. Keeney, Executive Director of Constellation Schools said, "All of us are so pleased that our parents are engaging with this new parent organization. We know that parents are the core of our charter schools and their voice can be a powerful force for their child's education."

## **Parents for Charter Schools Welcomes Constellation Schools Parents!**

June 8, 2017



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Ohio Coalition for Quality Education, 1808 Sulky Trail, Miamisburg, OH 45342

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Law360

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Friday, July 7, 2017





## TOP NEWS

Analysis

### **GC Pick Shows Fed's Limited Desire For Dodd-Frank Changes**

The Federal Reserve's Thursday choice of the top lawyer from its bank regulation team to be its new general counsel indicates the central bank intends to maintain the broad architecture of its post-financial crisis rules at least until President Donald Trump puts his own team in place, experts say. [Read more »](#)

### **Generics Lobby Sues To Block Md. Drug Pricing Law**

A new Maryland law authorizing fines against drugmakers that engage in "price gouging" is unconstitutionally vague and far-reaching, according to a complaint filed Thursday by the generic-drug industry's top trade group. [Read more »](#)

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### **Gov't Ethics Director Resigns, Calls For Stronger Framework**

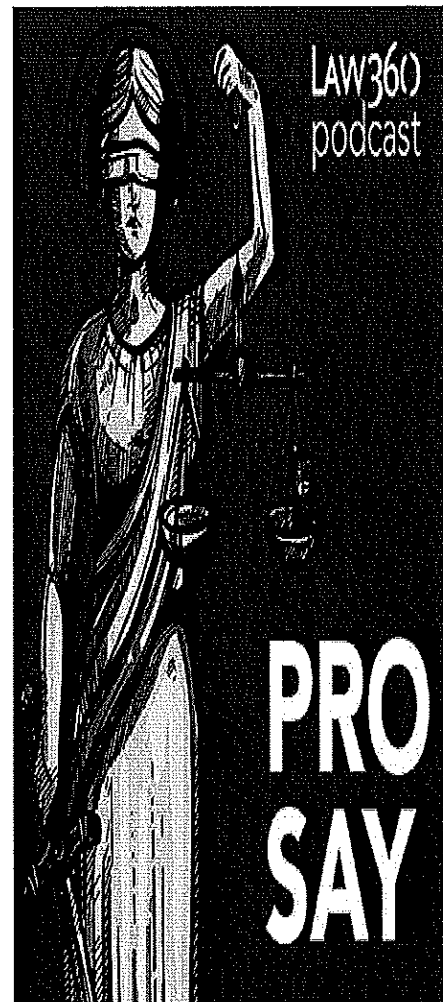
The director of a government ethics office, who repeatedly called on President Donald Trump to divest from his business interests, announced his resignation on Thursday, saying in a statement that the administration has exposed weaknesses in federal ethics guidelines. [Read more »](#)

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### **Calif. Gov. Announces 2018 Climate Summit In San Francisco**

California Gov. Jerry Brown on Thursday announced that a global climate action conference will be held in San Francisco in 2018, continuing his push to position the Golden State as a leader in sustainable practices in the wake of President Donald Trump's withdrawal of the U.S. from the Paris climate agreement. [Read more »](#)

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## LAW FIRMS

Alston & Bird

Arnold & Porter Kaye Scholer

= 9

Bird & Bird

Boies Schiller

Bryan Cave

Chamberlain Hrdlicka

Clifford Chance

Clyde & Co

Consovoy McCarthy

## **Gay Rights Group Will Take Title VII Bias Debate To High Court**

Gay rights group Lambda Legal said it will ask the U.S. Supreme Court to find that federal law bars employers from discriminating against workers because of their sexuality after the Eleventh Circuit declined Thursday to review precedent putting sexual orientation bias out of Title VII's reach. Read more = 2

= 9

## **Trump Admin, Voters Spar In Briefs Over Texas Voter ID Law**

The U.S. Department of Justice told a federal judge Wednesday there's no need to take further action regarding Texas' controversial voter ID law, as an amended measure that will go into effect in January solves discriminatory issues the court cited in blocking the original law, while opponents argue the new law is just as bad. Read more »

## **BANKING & SECURITIES**

= A

## **Fed Rules Chief Says Now Is Housing Finance Reform Time**

The Federal Reserve's top regulatory official on Thursday called for swift action to reform housing finance, particularly by putting more private investor dollars in between taxpayers and credit risks while the economy is strong and before memories of the financial crisis fade. Read more »

## **Feds Release Overviews Of Big Banks' 'Living Wills'**

Federal regulators on Wednesday released the public portions of road maps for taking apart the eight largest U.S. banks should they fail, and gave two firms designated as systemically important an additional year to file their "living wills." Read more »

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Cooley  
Dechert  
Dentons  
Earthjustice  
Elliott Greenleaf  
Greenberg Traurig  
Greene Espel  
Gunster

Hogan Lovells  
Jenner & Block  
Jones Day  
Kirkland & Ellis  
Lane Powell  
Miller & Chevalier  
Morgan & Morgan  
Nabors Giblin  
Nix Patterson  
Ogletree Deakins

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Potter DeAgostino  
Richards Rodriguez

= 9

Rutledge Ecenia  
Shaw Bransford  
Shook Hardy  
Steptoe & Johnson LLP  
Stoel Rives  
Tucker Arensberg  
Vinson & Elkins  
White & Case  
White and Williams

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Williams Parker  
WilmerHale  
Wilson Robertson

## **COMPANIES**

AARP Inc.  
Allied Irish Banks PLC

## **Ireland Gov't Raises \$3.9B From Allied Irish Banks IPO**

The Irish government on Thursday said it has raised €3.4 billion (\$3.9 billion) total from its initial public offering of Allied Irish Banks PLC after it exercised an overallotment option, increasing what is already this year's largest European IPO. [Read more »](#)

= 9 **ENERGY & ENVIRONMENTAL**

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## **15 AGs Urge Court To Uphold Congressional Review Act**

The Republican attorneys general of 15 states piled onto a suit that challenges the constitutionality of a regulation rollback law, the Congressional Review Act, on Wednesday, telling an Alaskan federal court the law is perfectly constitutional and urging it to toss the suit and "preserve this important procedural tool." [Read more = 2](#)

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## **DOI Looks To Speed Up Oil And Gas Permitting On Fed. Lands**

U.S. Secretary of the Interior Ryan Zinke on Thursday signed a secretarial order aimed at speeding up the process for oil and gas permitting on federal lands, saying it was important for the country's energy strategy to reduce the application backlog and to streamline the mineral development process. = 9 [Read more »](#)

## **Nonprofit Hits Ocean Agency With Suit Over Google Chats**

A nonprofit watchdog that advocates limited government filed suit in D.C. federal court Thursday seeking information about how the National Oceanic and Atmospheric Administration logs its Google Chat conversations, saying the agency's delay in processing the group's prior requests for the

American Civil Liberties Union  
American Enterprise Institute  
American International Group Inc.  
American Petroleum Institute Inc.  
Associated Press

Bank of America Corporation

BlackRobe Capital Partners LLC  
CITGO Petroleum Corp.  
Center for Biological Diversity Inc.  
China Integrated Energy Inc.  
Citigroup Inc.  
Cloud Security Alliance  
Deloitte Touche  
Deutsche Bank AG  
Environmental Defense Fund Inc.  
Facebook

Fannie Mae

Federation for American  
Immigration Reform

Freddie Mac

Goldman Sachs Group Inc.

Google Inc.

Gulf Oil Limited Partnership

JPMorgan Chase & Co.

Kelly Services, Inc.

Lambda Legal Defense &  
Educational Fund

LexisNexis Group

London Stock Exchange Group  
PLC

Morgan Stanley

= 9

Murphy USA Inc.

NBCUniversal Inc.

National Conference of State  
Legislatures

National Public Radio Inc.

data shirks the Freedom of Information Act. = 9  
Read more »

### **EPA Keeps Biofuel Requirements Steady For 2018**

The U.S. Environmental Protection Agency on Wednesday maintained the amount of renewable fuels that must be blended into the U.S. transportation fuel supply in 2018, but also hinted at major future changes to the agency's renewable fuels program by saying it would explore a "reset" of required biofuel levels. Read more »

### **Pa. Drilling Fund Use Unconstitutional, Enviro Group Says**

Following a landmark ruling last month bolstering constitutionally enshrined environmental protections, a Pennsylvania court was urged on Thursday to nix portions of the just-passed state budget using money from the leasing of public land for drilling to fund operating costs of the Department of Conservation and Natural Resources. Read more »

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### **= 9 Fishermen Ask High Court To Uphold 9th Circ. Fishery Ruling**

Two commercial fishing groups that forced the federal government to oversee a salmon fishery in Alaska after an appeals court win last year have come out strongly against the state's recent bid to take the suit to the Supreme Court. Read more »

## **EMPLOYMENT**

= 9

### **Washington Gov. Signs Paid Family Leave Plan Into Law**

Washington state Democratic Gov. Jay Inslee on Wednesday announced that he signed a piece of legislation that will make the state one of a small group that offers a paid family leave

Natural Resources Defense Council

Netflix Inc.

Odebrecht SA

Philip Morris USA Inc.

Platinum Partners LP

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PricewaterhouseCoopers

Prudential Financial Inc.

Reed Elsevier

Reynolds American Inc.

Rothschild & Co. SCA

SIFMA

Sierra Club

Skype Technologies SA

State Bar of Texas

State Street Corp.

Temple-Inland Inc.

= A

The Bank of New York Mellon Corporation

Thrivent Financial

Turing Pharmaceuticals AG

Twitter Inc.

Tyler Technologies, Inc.

U.S. Chamber of Commerce

Vereit Inc.

Wells Fargo & Co.

## **GOVERNMENT AGENCIES**

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Alaska Department of Law

Bureau of Citizenship and Immigration Services

Bureau of Land Management  
Equal Employment Opportunity Commission

program, after the plan was passed through the state Legislature last week. Read more »

= 9

### **AARP Says EEOC Never Explained Wellness Rule Penalties**

The U.S. Equal Employment Opportunity Commission cannot simply pluck numbers from the air when allowing for higher premiums for workers who don't participate in wellness programs, AARP Inc. told a D.C. federal judge in oral arguments Thursday. = 9 Read more »

### **Thrivent Seeks Win After DOL Abandons Class Action Rule**

A financial services group that has sued to block part of the U.S. Department of Labor's fiduciary rule asked a Minnesota federal judge on Wednesday to give it a quick win after the regulator said in a related case that it would no longer defend the rule's ban on class action waivers. Read more »

### **GSA Settles Tech Program Whistleblower's Retaliation Claim = 9**

The Office of the Special Council said Thursday it has reached a settlement with the General Services Administration on behalf of a whistleblower who was subjected to retribution from the former head of the agency for shedding light on mismanagement of a GSA-run technology program. Read more »

### **10th Circ. Backs Quick Win To Kelly Services In ADA Suit**

A Tenth Circuit panel on Thursday backed a quick win given to staffing agency Kelly Services and GE Controls Solutions in a suit from a temporary employee who was terminated after missing a significant amount of work while being tested for breast cancer. Read more » = 9

## **COMPETITION**

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European Commission

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European Union

Executive Office of the President

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Federal Communications Commission

Federal Deposit Insurance Corp.

Federal Reserve System

Federal Trade Commission

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Financial Crimes Enforcement Network

Financial Stability Oversight Council

Food and Drug Administration

Internal Revenue Service

National Highway Traffic Safety Administration

National Institute of Standards and Technology

National Labor Relations Board

National Marine Fisheries Service

National Oceanic and Atmospheric Administration

North Carolina General Assembly

Office of the Comptroller of the Currency

Pennsylvania Supreme Court

= 9

Solicitors Regulation Authority

= 9

Texas Legislature

U.S. Department of Agriculture

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

## FTC Warns NC Appraisal Fee Bill Could Break Antitrust Law

Legislation under consideration by North Carolina state lawmakers could breach federal antitrust law by stifling competition for the setting of real estate appraisal fees, which could result in higher prices for consumers, the Federal Trade Commission said Thursday. [Read more »](#)

## PRIVACY & CONSUMER PROTECTION

### FTC To Shield Its Workers From Damages In Personal Suits

The Federal Trade Commission on Wednesday took a step to protect its employees from individual lawsuits, adopting a policy to indemnify them against damages for work they do — even as several of the agency's employees face suit tied to a data security investigation of a medical testing firm. [Read more »](#)

## TAX

= A

Analysis

### 4 Top Tax Policy Developments In 2017: Midyear Report

In the year so far, 76 countries agreed to adopt a landmark multilateral treaty to deter tax avoidance by multinational corporations, and the IRS made headway toward changing its audit system for partnerships and large businesses. Here's a look back at major tax policy developments in the first half of 2017. [Read more »](#)

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### Big 4 Accounting Firms Need EU Oversight, Study Says

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U.S. Department of Labor

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U.S. Department of State

U.S. Department of Transportation

U.S. Department of Veterans Affairs

U.S. Department of the Interior

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U.S. Department of the Treasury

U.S. Environmental Protection Agency

U.S. General Services Administration

U.S. Immigration and Customs Enforcement

U.S. Senate

U.S. Supreme Court

United Nations

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A new report co-authored by an influential tax-compliance expert reproves the world's four largest accounting firms as having opaque structures meant to protect clients from regulatory inquiries and recommends that the European Union impose stronger licensing conditions on them. [Read more »](#)

### **Veto Override Gives Illinois 1st State Budget In 2 Years**

After a record-breaking 736-day budget impasse, Illinois has a spending plan once more after a razor-thin vote in the state House on Thursday to override Republican Gov. Bruce Rauner's veto of a budget package and tax hike. [Read more ½ B](#)

## **IMMIGRATION**

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### **District Court Won't Clarify Scope Of Trump Travel Ban**

A Hawaii federal court Thursday said it won't weigh in on what counts as "close family" exempted under the portion of President Donald Trump's travel ban that the U.S. Supreme Court allowed to take effect. [Read more »](#)

### **Fresh H-2B Rule Sent To OMB For Review**

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The U.S. Department of Homeland Security has sent a rule to the Office of Management and Budget regarding the H-2B temporary worker program, not long after it was confirmed that the DHS will issue a limited number of additional visas for temporary workers to aid seasonal businesses. [Read more »](#)

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### **DOJ To Review Compliance Claims Of Sanctuary Cities, States = 9**

The U.S. Department of Justice announced Thursday that it is reviewing letters from 10 so-called sanctuary jurisdictions, which it previously selected for enforcement scrutiny, that say they are complying with laws governing immigration information shared with federal officials. [Read more »](#)

### **Kobach Loses Bid To Shed Sanctions In Voter Records Suit**

A magistrate judge on Wednesday denied a request from Kansas Secretary of State Kris Kobach to reconsider a sanctions order for "deceptive conduct" in a discovery dispute over documents related to immigration and voter reform, with Kobach objecting to the ruling the same day. [Read more »](#)

= A

### **Sen. Urges Mattis To Honor Citizenship For Service Contracts**

Sen. Mark Warner, D-Va., on Thursday urged Defense Secretary Jim Mattis to reject proposed changes to a military recruitment program that could result in the deportation of some 1,000 foreign-born recruits. [Read more »](#)

## **HEALTH**

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### **Fla. High Court Upholds County Hospital Reimbursement Law = 9**

The Florida Supreme Court on Thursday upheld a special act requiring Sarasota County to reimburse both private and public medical centers for care given to impoverished patients, ruling that it does not grant a privilege to private institutions because it applies equally to all hospitals in the county. [Read more »](#)

= 9

### **Lawsuit Challenges Fla. Medical Marijuana Smoking Ban**



Leading advocates for medical marijuana legalization in Florida followed through Thursday on their promise to challenge a ban against smoking the drug that the state included in a recently enacted law, saying the ban contradicts a constitutional amendment voters approved in November to broaden access. [Read more »](#)

## TELECOMMUNICATIONS

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### **Broadcasters Lobby FCC For End Of Main Studio Rule**

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Broadcasters including NPR have offered glowing support for the Federal Communications Commission's proposal to eliminate the "main studio" rule, saying that removing it would modernize regulations and reduce administrative overhead, although at least one media trade group has offered words of caution. [Read more = 2](#)

## INTERNATIONAL TRADE

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### **Fla. Considers Backing Out Of Business With Venezuela**

Florida Gov. Rick Scott announced Wednesday that he plans to present a proposal to bar the state of Florida from doing business with any organization that supports the regime of Nicolas Maduro in Venezuela, a move that could run afoul of federal law. [Read more »](#)

### **EU-Japan Trade Deal Punts On Investor Arbitration, Data**

= A European Union and Japanese officials announced Thursday that they have reached an "agreement in principle" for a sweeping new trade deal, but kicked the can down the road in

several sensitive areas, including investment arbitration and rules governing cross-border data flows. [Read more »](#)

## = 9 EXPERT ANALYSIS

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### **What To Know About High Court's Travel Ban Ruling**

Last week, the U.S. Supreme Court partially lifted the preliminary injunctions that blocked President Donald Trump's "travel ban" executive order. However, continuing litigation and subsequent revisions and implementation have significantly narrowed the effect of the order particularly with respect to business travelers, say Maria Fernanda Gandarez and Matthew Kolodziej of Ogletree Deakins Nash Smoak & Stewart PC. [Read more »](#)

= 9

### **= 9 Comp Time Questions Under Working Families Flexibility Act**

The Working Families Flexibility Act, which allows private sector companies to offer eligible employees paid time off (comp time) in lieu of traditional wages, is currently awaiting passage by the U.S. Senate. While it may be a topic of dispute, there is no denying the bill has raised questions from both proponents and opponents alike, say Annette Idalski and Mary Claire Smith of Chamberlain Hrdlicka White Williams & Aughtry. [Read more »](#)

### **Policymakers Accelerate On Driverless-Car Cybersecurity**

A uniform national framework for the cybersecurity issues implicated by autonomous vehicles is needed to supplant the numerous state laws and regulations that have sprung up in the absence of federal legislation. Secretary of Transportation Elaine Chao and Congress have an opportunity to provide just that, says Nancy Libin, a partner at Jenner & Block LLP

and former chief privacy officer of the U.S. Department of Justice. [Read more »](#)

## LEXIS PRACTICE ADVISOR

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### **Considerations For Entry Into The Marijuana Industry**

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The current juxtaposition between federal and state marijuana laws impacts how lawyers, courts and legislators address issues in this fascinating new industry. Cátia Kossovsky of Tucker Arensberg PC explains how attorneys can help marijuana-related businesses navigate through all of the various requirements. = 9 [Read more »](#) = A

## LEGAL INDUSTRY

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Analysis

### **What The Recent Mergers In Legal Tech Mean For BigLaw**

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The fast pace of legal technology mergers so far in 2017 could drive the availability of more effective technology for BigLaw firms to serve their clients, especially as some of the industry's largest tech providers snap up cutting edge artificial intelligence startups. [Read more ½ B](#)

= 9

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Cooley nabbed the top spot on our list of legal lions this week for tossing a \$15 billion multidistrict litigation that accused Facebook of user tracking, while Shook Hardy & Bacon LLP, Arnold & Porter Kaye Scholer LLP and Jones Day found themselves among the legal lambs when a Florida state appeals court reversed a jury's verdict that had favored two tobacco companies over an ex-smoker battling terminal illness. [Read more »](#)

## **Clifford Chance Under Scrutiny For Excalibur Finance Debacle**

U.K. firm Clifford Chance LLP is the target of a legal regulator investigation focused on its involvement with litigation funders who backed an oil exploration firm's disastrous \$1.6 billion suit against U.S. energy companies, a person familiar with the matter confirmed Thursday. Read more [½ B](#)

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## **White Attorney Loses Fight Over Makeup Of Texas Bar Board**

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The Texas Legislature's decision to revoke a statute requiring the State Bar of Texas to include four minority members on its board and replace it with rules for hiring at-large directors has mooted a complaint brought by a white lawyer claiming discrimination, a federal judge ruled Wednesday. Read more »

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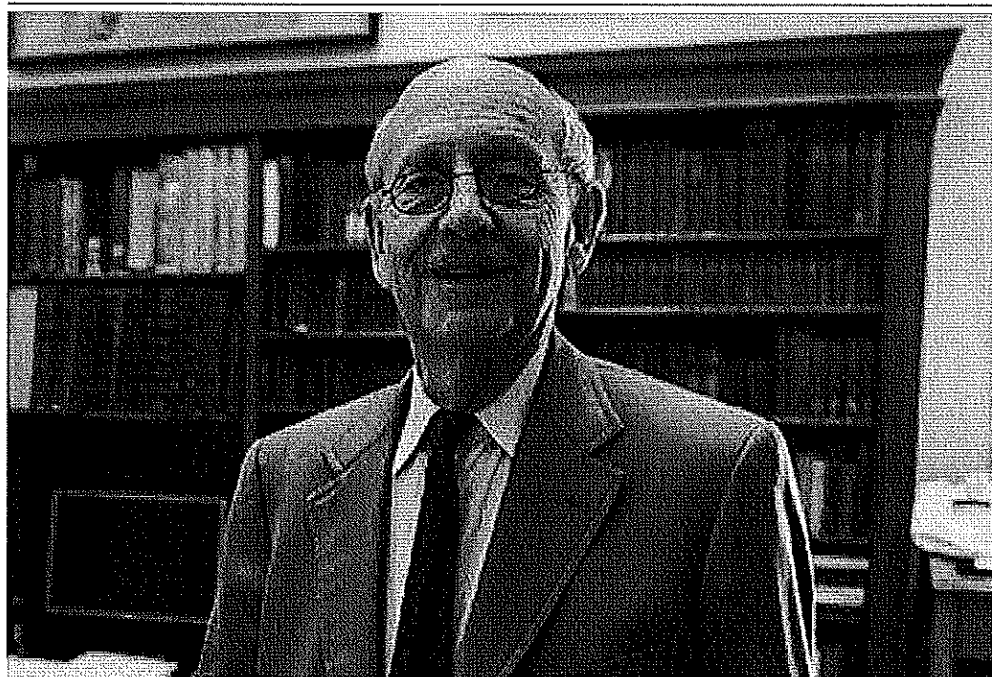
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Wednesday, July 12, 2017

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## SUPREME COURT



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Akin Gump  
Ashurst LLP  
BakerHostetler  
Ballard Spahr  
Boies Schiller  
Buckley Sandler  
Cleary Gottlieb  
Clifford Chance  
Cravath Swaine  
DLA Piper  
Earthjustice  
Fragomen Del Rey  
Gelber Schachter  
Greenspoon Marder  
Hadsell Stormer  
Holland & Knight  
Horwood Marcus

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Jackson Lewis  
Jenner & Block  
Kellogg Hansen  
Kirkland & Ellis  
Linklaters  
McAfee & Taft  
McCarter & English  
Morvillo LLP  
Novak Druce  
Pepper Hamilton  
Polsinelli  
Quarles & Brady  
Reed Smith  
Shearman & Sterling  
Slaughter and May  
Spiegel & McDiarmid  
Thompson Coburn  
Western Environmental Law Center  
Wiley Rein  
WilmerHale  
Winston & Strawn

#### **COMPANIES**

AT&T Inc.  
Air Line Pilots Association International  
Alliance of Automobile Manufacturers  
American Civil Liberties Union  
American Federation of State, County and Municipal Employees  
American Petroleum Institute Inc.  
Associated Press  
Center for Biological Diversity Inc.  
Competitive Enterprise Institute  
Council Of Better Business Bureaus Inc.  
Electronic Privacy Information Center  
Environmental Defense Fund Inc.  
FedEx Corporation  
Florida Immigrant Coalition  
Global Automakers  
John Wiley & Sons, Inc.  
Microsoft Corporation  
National Association of Broadcasters

The Trump administration is violating federal environmental laws by plowing ahead with prototype projects for a wall on the nation's southern border without first evaluating the potential impact on the environment, including on endangered creatures such as the Quino checkerspot butterfly, an environmental group has alleged. [Read more »](#)

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## TRANSPORTATION & INFRASTRUCTURE

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### **NHTSA Reconsidering Maximum Fuel Efficiency Penalties**

The National Highway Traffic Safety Administration is indefinitely delaying the institution of higher maximum penalties for automakers who don't meet fuel efficiency standards as the agency seeks further comment on the proposed change, according to two notices released Tuesday. [Read more »](#)

### **Don't Send GWB Scandal Architect To Prison, Court Told**

The architect of the George Washington Bridge lane-closing scandal and prosecutors have called on a New Jersey federal court to sentence him on Wednesday to probation instead of prison for his role in the political revenge scheme, with the government crediting his cooperation for the convictions of two fellow conspirators. [Read more »](#)

## EMPLOYMENT

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### **Think Tank Says High Court Should Take Up Union Dues Case**

The Competitive Enterprise Institute on Monday threw its support behind a nonunion Illinois state employee's challenge to mandatory public sector union dues at the U.S. Supreme Court, saying the labor union in the case has used so-called agency fees to pay for political and ideological advocacy. [Read more »](#)

### **Dems Tell Trump To Expand Paid Family Leave Plan**

A group of more than 100 Democratic lawmakers, led by Rep. Rosa DeLauro, D-Conn., on Monday asked the Trump administration to broaden the proposal for paid family and medical leave that it unveiled in President Donald Trump's 2018 budget request, calling the current proposal "inadequate" to meet working families' needs. [Read more »](#)

## GOVERNMENT CONTRACTS

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### **DOD Watchdog Says 'Buy American' Compliance Inconsistent**

National Association of Home Builders

National Association of Manufacturers

National Right to Work Legal Defense Foundation

National Wildlife Federation

Natural Resources Defense Council

Netflix Inc.

New York Times Co.

Nike Inc.

Northern Dynasty Minerals Ltd.

PHH Corporation

Public Citizen Inc.

Sierra Club

Talen Energy Corp.

TechFreedom

Telecommunications Industry Association

Turner Broadcasting System Inc.

Twitter Inc.

U.S. Chamber of Commerce

Umpqua Holdings Corporation

United Continental Holdings Inc.

Wilderness Workshop

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Indian Affairs

Bureau of Land Management

California Environmental Protection Agency

Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians

Consumer Financial Protection Bureau

Cow Creek Band of Umpqua Tribe of Indians

Defense Logistics Agency

Federal Acquisition Regulatory Council

Federal Aviation Administration

Federal Communications Commission

The Defense Logistics Agency often does not comply with "Buy American" requirements in its procurements, the U.S. Department of Defense Office of Inspector General said in a report made public this week. [Read more »](#)

### **DOD Should Collect Data On Contract Incentive Fees: GAO**

The U.S. Department of Defense should collect and analyze data on contract outcomes to determine whether an increased reliance on incentive fees over the past decade is improving contract performance, a report from the Government Accountability Office has found. [Read more »](#)

## **TAX**

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### **Ill. Appeals Court Upholds Block On Chicago-Area Soda Tax**

An Illinois appeals court on Monday upheld a halt on Cook County's penny-per-ounce soda tax, siding with a lower court ruling handing a restraining order to businesses that say the tax flouts the state constitution. [Read more »](#)

### **3 Portuguese Ministers Named In Free Soccer Trips Probe**

Portugal's attorney general named three junior ministers in charge of tax affairs, internationalization and industry as formal suspects Monday in a probe focusing on an energy company's gifts of travel, meals and tickets to watch the country's national soccer team play in last year's European Championship. [Read more »](#)

## **IMMIGRATION**

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### **Immigrants, Advocates Sue To Stop Trump's Voter Database**

Voters, immigrants and advocates launched another challenge to the Presidential Advisory Commission on Election Integrity in Florida federal court on Monday, accusing it of violating the right to vote under the First Amendment and constitutional and statutory privacy protections by requesting that states supply personal voter registration information to a centralized federal database. [Read more »](#)

### **Ariz. County Fights \$1.38M Fee Request In Migrant ID Case**

Maricopa County, Arizona, told a federal judge on Monday that the \$1.38 million in attorneys' fees sought by a migrants justice group and others in their suit that saw a permanent bar placed on the county sheriff's use of work verification documents to conduct criminal prosecutions for identity theft or forgery was unreasonable. [Read more »](#)

## **NATIVE AMERICAN**

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### **House OKs Bills Taking Tribal Lands Into Trust**

The House on Tuesday passed a series of bills formally placing lands into trust or granting them to various tribes in California and other western states, paving the way for development on those lands that could include housing, hotels and even a winery — but with bans on gambling. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **Chamber Signs Letter Opposing Broadband As Public Utility**

The U.S. Chamber of Commerce and several trade associations wrote a letter to the Federal Communications Commission Tuesday supporting efforts to repeal Obama-era net neutrality regulations, asserting that a free and open internet

Federal Energy Regulatory Commission  
Federal Railroad Administration  
Federal Trade Commission  
Federal Transit Administration  
Food and Drug Administration  
Government Accountability Office  
Maritime Administration  
National Highway Traffic Safety Administration  
National Railroad Passenger Corporation  
National Security Agency  
Occupational Safety and Health Administration  
Port Authority of New York & New Jersey  
U.S. Army  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Office of Personnel Management  
U.S. Senate  
U.S. Supreme Court



does not equate to imposing public utility-style restrictions on broadband providers. [Read more »](#)

### **Microsoft To Use TV 'White Spaces' To Extend Net Service**

Microsoft announced Monday it is moving forward with a plan to repurpose gaps between channels on TV-licensed spectrum as a way to extend internet service in rural areas, but at least one industry group says the software giant is just seeking an advantage after it refused to participate in a spectrum auction. [Read more »](#)

### **Congress Best Suited To Mediate Net Neutrality, Group Says**

Telecom advocacy group TechFreedom on Tuesday criticized an online protest planned for Wednesday to defend net neutrality rules as a movement that ignores the issue at the core of internet freedom, saying the push for FCC action is shortsighted and that congressional legislation is what's truly needed. [Read more »](#)

## **EXPERT ANALYSIS**

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### **CFPB Arbitration Rule Increases Class Action Risk**

If it becomes effective, a controversial new final rule issued by the Consumer Financial Protection Bureau on Monday will make it easier for consumers to bring class action lawsuits against financial companies. However, the CFPB has been targeted by the current administration, and Congress is empowered to override the rule, say attorneys with Holland & Knight LLP. [Read more »](#)

### **Ex-NAD Director Looks Back On 20 Years And 2,600 Decisions**

Reflecting on over two decades at the National Advertising Division, it's hard to discern any clear pattern regarding the type of products, legal issues or the sheer number of cases that came before us. Looking ahead, with advertising metamorphosing into so many different formats, I think identifying "what is advertising" is going to be the biggest challenge, says Andrea Levine, former director of the National Advertising Division. [Read more »](#)

### **Welcomed Changes For Cos. Hiring Foreign Talent: Part 1**

A new immigration regulation that went into effect earlier this year provides for greater flexibility in the ways U.S. employers can recruit and sponsor foreign professionals for temporary visas and U.S. permanent residence. In this three-part series Andrew Greenfield of Fragomen, Del Rey, Bernsen & Loewy LLP discusses how the new rules will impact various aspects of employers' recruiting and sponsorship practices. [Read more »](#)

### **LA Leads The Way With Draft Commercial Cannabis Regs**

Los Angeles' City Council recently released proposed regulations governing commercial cannabis activity in the city, and the Department of City Planning released a draft ordinance proposing land use requirements for the cannabis industry. It is likely that other cities in California will look to Los Angeles' regulations as a basis for enacting their own laws, says Michael Rosenblum of Thompson Coburn LLP. [Read more »](#)

### **5 Questions To Ask Firm Before Accepting A Litigation AFA**

Outside counsel experienced with alternative fee arrangements will have many war stories regarding successful — and less successful — fee arrangements. Asking outside counsel to share these experiences can provide useful insight into the strength of a proposed AFA, say attorneys with WilmerHale. [Read more »](#)

### **Judge Slams Sessions, Union Attys For Sloppy Briefs**

Seventh Circuit Chief Judge Diane P. Wood issued a stern warning Tuesday to attorneys filing sloppy jurisdictional statements, striking a brief filed by U.S. Attorney General Jeff Sessions and another filed by attorneys for a pilots union as a reminder that briefs must be "complete and correct." [Read more »](#)

### **Law Firm Leaders Confident In Next 6 Months, Survey Says**

Law firm managers are looking forward to the second half of 2017 with more confidence across the board than they did the previous six months, according to the results of a survey by Citi Private Bank's law firm group released on Tuesday. [Read more »](#)

### **DC Circ. Judge Janice Rogers Brown To Retire**

Judge Janice Rogers Brown will retire from the U.S. Circuit Court of Appeals for the D.C. Circuit, paving the way for President Donald Trump to appoint a new member to the nation's second-highest court. [Read more »](#)

### **Ex-Novak Partners Ink Wage Deal, Eye Polsinelli To Collect**

Two former Novak Druce Connolly Bove & Quigg LLP partners have inked a \$500,000 settlement in their wage dispute with the troubled firm, and their attorney told Law360 on Tuesday he may pursue their former partners or Polsinelli PC, where many moved, in order to collect. [Read more »](#)

### **Ashurst, Akin Gump Continue London Pay Increases**

Salaries for budding lawyers continue to climb in London, with Ashurst LLP bumping pay for newly minted attorneys to £72,000 (\$92,515) a year, among other increases, and Akin Gump Strauss Hauer & Feld LLP giving a boost to its trainees in the city, the firms confirmed to Law360 on Tuesday. [Read more »](#)

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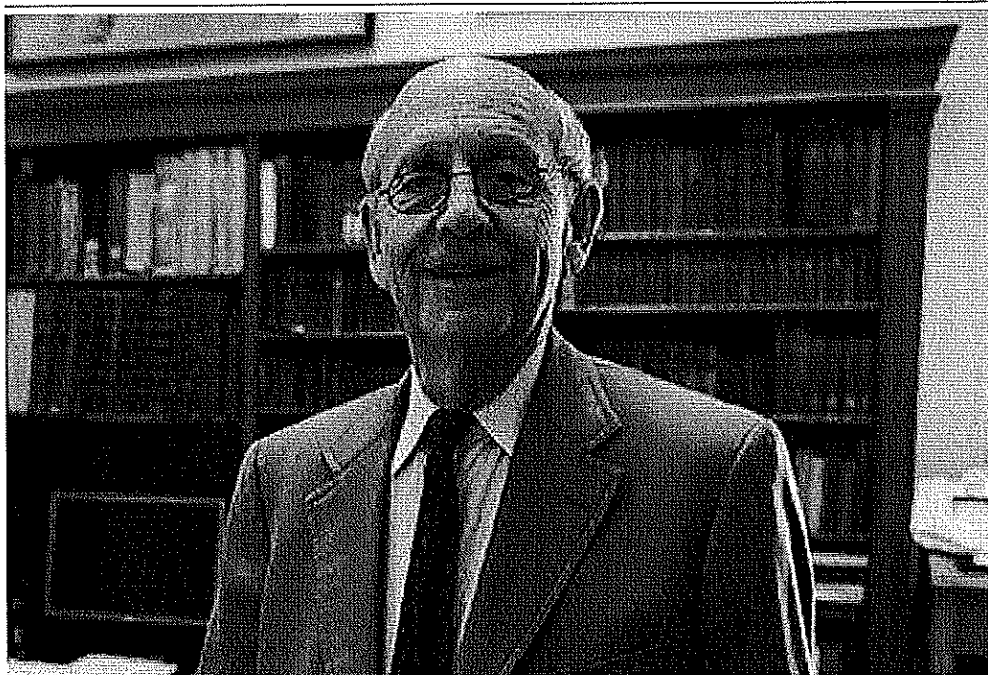
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Wednesday, July 12, 2017

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Buckley Sandler  
Cleary Gottlieb  
Clifford Chance  
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Jackson Lewis  
Jenner & Block  
Kellogg Hansen  
Kirkland & Ellis  
Linklaters  
McAfee & Taft  
McCarter & English  
Morvillo LLP  
Novak Druce  
Pepper Hamilton  
Polsinelli  
Quarles & Brady  
Reed Smith  
Shearman & Sterling  
Slaughter and May  
Spiegel & McDiarmid  
Thompson Coburn  
Western Environmental Law Center  
Wiley Rein  
WilmerHale  
Winston & Strawn

#### **COMPANIES**

AT&T Inc.  
Air Line Pilots Association International  
Alliance of Automobile Manufacturers  
American Civil Liberties Union  
American Federation of State, County and Municipal Employees  
American Petroleum Institute Inc.  
Associated Press  
Center for Biological Diversity Inc.  
Competitive Enterprise Institute  
Council Of Better Business Bureaus Inc.  
Electronic Privacy Information Center  
Environmental Defense Fund Inc.  
FedEx Corporation  
Florida Immigrant Coalition  
Global Automakers  
John Wiley & Sons, Inc.  
Microsoft Corporation  
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A crucial new rail tunnel under the Hudson River would receive \$900 million in federal funds under a draft transportation spending bill released Monday by the House Appropriations Committee, a major boost to yearslong efforts to overhaul a major New York to New Jersey artery. [Read more »](#)

### **NHTSA Reconsidering Maximum Fuel Efficiency Penalties**

The National Highway Traffic Safety Administration is indefinitely delaying the institution of higher maximum penalties for automakers who don't meet fuel efficiency standards as the agency seeks further comment on the proposed change, according to two notices released Tuesday. [Read more »](#)

### **Don't Send GWB Scandal Architect To Prison, Court Told**

The architect of the George Washington Bridge lane-closing scandal and prosecutors have called on a New Jersey federal court to sentence him on Wednesday to probation instead of prison for his role in the political revenge scheme, with the government crediting his cooperation for the convictions of two fellow conspirators. [Read more »](#)

## EMPLOYMENT

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### **Think Tank Says High Court Should Take Up Union Dues Case**

The Competitive Enterprise Institute on Monday threw its support behind a nonunion Illinois state employee's challenge to mandatory public sector union dues at the U.S. Supreme Court, saying the labor union in the case has used so-called agency fees to pay for political and ideological advocacy. [Read more »](#)

### **Dems Tell Trump To Expand Paid Family Leave Plan**

A group of more than 100 Democratic lawmakers, led by Rep. Rosa DeLauro, D-Conn., on Monday asked the Trump administration to broaden the proposal for paid family and medical leave that it unveiled in President Donald Trump's 2018 budget request, calling the current proposal "inadequate" to meet working families' needs. [Read more »](#)

## GOVERNMENT CONTRACTS

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### **DOD Watchdog Says 'Buy American' Compliance Inconsistent**

National Association of Home Builders

National Association of Manufacturers

National Right to Work Legal Defense Foundation

National Wildlife Federation

Natural Resources Defense Council

Netflix Inc.

New York Times Co.

Nike Inc.

Northern Dynasty Minerals Ltd.

PHH Corporation

Public Citizen Inc.

Sierra Club

Talen Energy Corp.

TechFreedom

Telecommunications Industry Association

Turner Broadcasting System Inc.

Twitter Inc.

U.S. Chamber of Commerce

Umpqua Holdings Corporation

United Continental Holdings Inc.

Wilderness Workshop

## GOVERNMENT AGENCIES

Army Corps of Engineers

Bureau of Citizenship and Immigration Services

Bureau of Indian Affairs

Bureau of Land Management

California Environmental Protection Agency

Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians

Consumer Financial Protection Bureau

Cow Creek Band of Umpqua Tribe of Indians

Defense Logistics Agency

Federal Acquisition Regulatory Council

Federal Aviation Administration

Federal Communications Commission

The Defense Logistics Agency often does not comply with "Buy American" requirements in its procurements, the U.S. Department of Defense Office of Inspector General said in a report made public this week. [Read more »](#)

### **DOD Should Collect Data On Contract Incentive Fees: GAO**

The U.S. Department of Defense should collect and analyze data on contract outcomes to determine whether an increased reliance on incentive fees over the past decade is improving contract performance, a report from the Government Accountability Office has found. [Read more »](#)

## **TAX**

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### **Ill. Appeals Court Upholds Block On Chicago-Area Soda Tax**

An Illinois appeals court on Monday upheld a halt on Cook County's penny-per-ounce soda tax, siding with a lower court ruling handing a restraining order to businesses that say the tax flouts the state constitution. [Read more »](#)

### **3 Portuguese Ministers Named In Free Soccer Trips Probe**

Portugal's attorney general named three junior ministers in charge of tax affairs, internationalization and industry as formal suspects Monday in a probe focusing on an energy company's gifts of travel, meals and tickets to watch the country's national soccer team play in last year's European Championship. [Read more »](#)

## **IMMIGRATION**

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### **Immigrants, Advocates Sue To Stop Trump's Voter Database**

Voters, immigrants and advocates launched another challenge to the Presidential Advisory Commission on Election Integrity in Florida federal court on Monday, accusing it of violating the right to vote under the First Amendment and constitutional and statutory privacy protections by requesting that states supply personal voter registration information to a centralized federal database. [Read more »](#)

### **Ariz. County Fights \$1.38M Fee Request In Migrant ID Case**

Maricopa County, Arizona, told a federal judge on Monday that the \$1.38 million in attorneys' fees sought by a migrants justice group and others in their suit that saw a permanent bar placed on the county sheriff's use of work verification documents to conduct criminal prosecutions for identity theft or forgery was unreasonable. [Read more »](#)

## **NATIVE AMERICAN**

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### **House OKs Bills Taking Tribal Lands Into Trust**

The House on Tuesday passed a series of bills formally placing lands into trust or granting them to various tribes in California and other western states, paving the way for development on those lands that could include housing, hotels and even a winery — but with bans on gambling. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **Chamber Signs Letter Opposing Broadband As Public Utility**

The U.S. Chamber of Commerce and several trade associations wrote a letter to the Federal Communications Commission Tuesday supporting efforts to repeal Obama-era net neutrality regulations, asserting that a free and open internet

Federal Energy Regulatory Commission  
Federal Railroad Administration  
Federal Trade Commission  
Federal Transit Administration  
Food and Drug Administration  
Government Accountability Office  
Maritime Administration  
National Highway Traffic Safety Administration  
National Railroad Passenger Corporation  
National Security Agency  
Occupational Safety and Health Administration  
Port Authority of New York & New Jersey  
U.S. Army  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Office of Personnel Management  
U.S. Senate  
U.S. Supreme Court

does not equate to imposing public utility-style restrictions on broadband providers. [Read more »](#)

### **Microsoft To Use TV 'White Spaces' To Extend Net Service**

Microsoft announced Monday it is moving forward with a plan to repurpose gaps between channels on TV-licensed spectrum as a way to extend internet service in rural areas, but at least one industry group says the software giant is just seeking an advantage after it refused to participate in a spectrum auction. [Read more »](#)

### **Congress Best Suited To Mediate Net Neutrality, Group Says**

Telecom advocacy group TechFreedom on Tuesday criticized an online protest planned for Wednesday to defend net neutrality rules as a movement that ignores the issue at the core of internet freedom, saying the push for FCC action is shortsighted and that congressional legislation is what's truly needed. [Read more »](#)

## **EXPERT ANALYSIS**

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### **CFPB Arbitration Rule Increases Class Action Risk**

If it becomes effective, a controversial new final rule issued by the Consumer Financial Protection Bureau on Monday will make it easier for consumers to bring class action lawsuits against financial companies. However, the CFPB has been targeted by the current administration, and Congress is empowered to override the rule, say attorneys with Holland & Knight LLP. [Read more »](#)

### **Ex-NAD Director Looks Back On 20 Years And 2,600 Decisions**

Reflecting on over two decades at the National Advertising Division, it's hard to discern any clear pattern regarding the type of products, legal issues or the sheer number of cases that came before us. Looking ahead, with advertising metamorphosing into so many different formats, I think identifying "what is advertising" is going to be the biggest challenge, says Andrea Levine, former director of the National Advertising Division. [Read more »](#)

### **Welcomed Changes For Cos. Hiring Foreign Talent: Part 1**

A new immigration regulation that went into effect earlier this year provides for greater flexibility in the ways U.S. employers can recruit and sponsor foreign professionals for temporary visas and U.S. permanent residence. In this three-part series Andrew Greenfield of Fragomen, Del Rey, Bernsen & Loewy LLP discusses how the new rules will impact various aspects of employers' recruiting and sponsorship practices. [Read more »](#)

### **LA Leads The Way With Draft Commercial Cannabis Regs**

Los Angeles' City Council recently released proposed regulations governing commercial cannabis activity in the city, and the Department of City Planning released a draft ordinance proposing land use requirements for the cannabis industry. It is likely that other cities in California will look to Los Angeles' regulations as a basis for enacting their own laws, says Michael Rosenblum of Thompson Coburn LLP. [Read more »](#)

### **5 Questions To Ask Firm Before Accepting A Litigation AFA**

Outside counsel experienced with alternative fee arrangements will have many war stories regarding successful — and less successful — fee arrangements. Asking outside counsel to share these experiences can provide useful insight into the strength of a proposed AFA, say attorneys with WilmerHale. [Read more »](#)

## LEGAL INDUSTRY

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### **Judge Slams Sessions, Union Attys For Sloppy Briefs**

Seventh Circuit Chief Judge Diane P. Wood issued a stern warning Tuesday to attorneys filing sloppy jurisdictional statements, striking a brief filed by U.S. Attorney General Jeff Sessions and another filed by attorneys for a pilots union as a reminder that briefs must be "complete and correct." [Read more »](#)

### **Law Firm Leaders Confident In Next 6 Months, Survey Says**

Law firm managers are looking forward to the second half of 2017 with more confidence across the board than they did the previous six months, according to the results of a survey by Citi Private Bank's law firm group released on Tuesday. [Read more »](#)

### **DC Circ. Judge Janice Rogers Brown To Retire**

Judge Janice Rogers Brown will retire from the U.S. Circuit Court of Appeals for the D.C. Circuit, paving the way for President Donald Trump to appoint a new member to the nation's second-highest court. [Read more »](#)

### **Ex-Novak Partners Ink Wage Deal, Eye Polsinelli To Collect**

Two former Novak Druce Connolly Bove & Quigg LLP partners have inked a \$500,000 settlement in their wage dispute with the troubled firm, and their attorney told Law360 on Tuesday he may pursue their former partners or Polsinelli PC, where many moved, in order to collect. [Read more »](#)

### **Ashurst, Akin Gump Continue London Pay Increases**

Salaries for budding lawyers continue to climb in London, with Ashurst LLP bumping pay for newly minted attorneys to £72,000 (\$92,515) a year, among other increases, and Akin Gump Strauss Hauer & Feld LLP giving a boost to its trainees in the city, the firms confirmed to Law360 on Tuesday. [Read more »](#)

## **JOBS**

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**Rep30**

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**From:** NCSL TODAY <enews@ncsl.org>  
**Sent:** Thursday, July 13, 2017 10:42 AM  
**To:** Rep30  
**Subject:** State election officials fear feds are making security worse

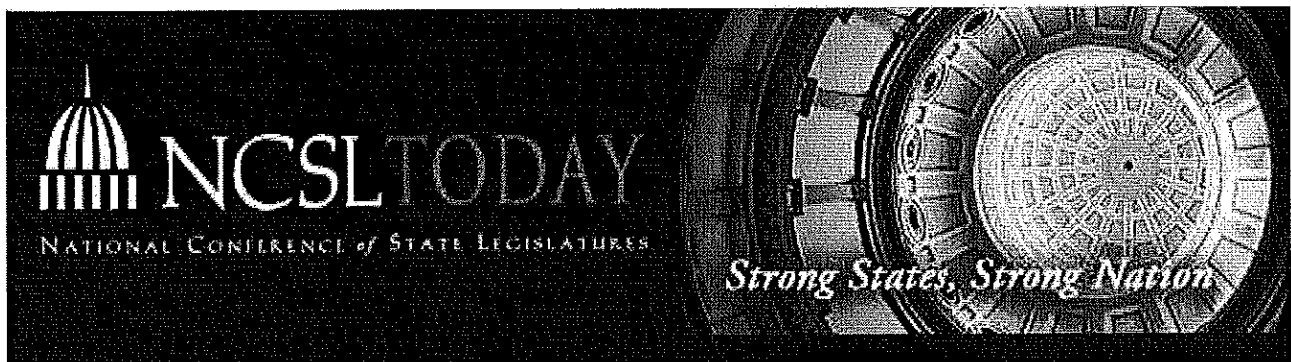
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## TOP NEWS July 13, 2017

### State election officials fear feds are making security worse

*Governing*

Secretaries of state are concerned about not just the federal government's request for voter information but also the information they're not getting about election security breaches.

### U.S. appeals court upholds Wisconsin's right-to-work law

*Milwaukee Journal Sentinel*

A federal appeals court on Wednesday upheld Wisconsin's law that bars collective bargaining agreements requiring workers to pay union fees.

### Five states face budget uncertainty in



FEATURING

### Commentator/pollster Frank Luntz featured speaker at Legislative Summit

Frank Luntz is one of the nation's foremost political commentators and pollsters. Known as the Focus Group Czar, he captures the attitudes of American voters on politics, policies and

## **new fiscal year**

*Reuters*

Connecticut, Wisconsin and Rhode Island's legislatures have not yet passed a budget, while Massachusetts' budget awaits action from state Governor Charlie Baker to either sign or veto it. **NCSL's Erica MacKeller quoted.**

## **Medical pot industry wants in on soaring pot sales**

*The Chicago Tribune*

Sales of products containing CBD, or cannabidiol, increased 30 percent to \$262 million nationwide last year, according to the Hemp Business Journal. By 2020, the industry trade journal projects that figure to leap to more than \$1 billion, with most of those sales from hemp, not medical marijuana. **NCSL research cited.**

## **California lawmakers delay climate vote amid push for affordable housing**

*The Los Angeles Times*

While conversations over climate change have dominated recent debate at the Capitol, California lawmakers are accelerating bills to address the state's housing affordability crisis, and may vote on a series of measures before they break for summer recess next Friday.

## **State lotteries fight 'jackpot fatigue,' casino competition**

*Stateline*

With lottery proceeds flat or declining, and states reluctant to raise taxes to make up the difference, pressure is mounting to keep players playing and money rolling in.

the direction of the country. He will speak during Tuesday's general session

**NEWS@NCSL**

## **Capitol to Capitol state-federal newsletter**

## **Friday webinar: Cybertechnology and the law**

## **The Canvass elections newsletter**

**PHOC**

## **States tackling 'balance billing' issue**

The practice of a provider billing a patient for the difference between what they received in reimbursement from an insurance carrier and what they actually charge for their services is known as balance billing, or a surprise bill, and it's not uncommon.



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**From:** Public Policy Law360  
**Sent:** Friday, July 14, 2017 5:02 AM  
**To:** Rep30  
**Subject:** Meet The Lawyers Defending Trump's Inner Circle



PUBLIC POLICY

Law360's Exclusive Interviews With The Supreme Court

Catch up on our chats with sitting and retired justices

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Friday, July 14, 2017



## TOP NEWS

### Analysis

#### **Meet The Lawyers Defending Trump's Inner Circle**

Donald Trump Jr. became the latest member of his father's inner circle to lawyer up this week, hiring a criminal defense lawyer after publicly admitting to meeting with a Russian lawyer who promised incriminating information about Hillary Clinton. Here's a breakdown of the publicly named counsel for figures in the Trump administration and campaign, based on press reports and confirmation to Law360. [Read more »](#)

### Analysis

#### **Even With Gorsuch, Supreme Court Unlikely To Toss Chevron**

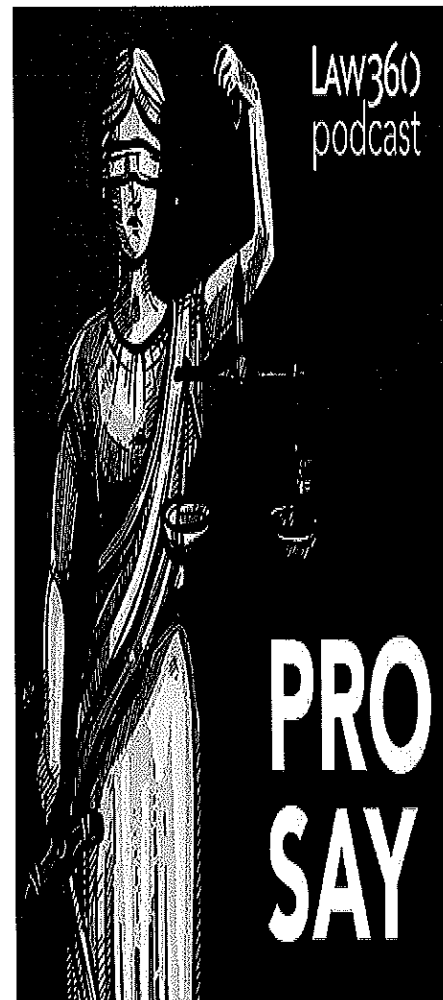
Opponents of the legal doctrine known as Chevron deference rejoiced when one of their own made it onto the U.S. Supreme Court earlier this year. Yet two months into Justice Neil Gorsuch's tenure, the reality that the landmark administrative law ruling will likely remain on the books for the foreseeable future is beginning to set in. [Read more »](#)

#### **2nd Circ. Flips Sheldon Silver's Corruption Conviction**

The Second Circuit on Thursday vacated former New York State Assembly Speaker Sheldon Silver's 2015 corruption conviction, agreeing that the jury instructions at his trial were erroneous in light of the U.S. Supreme Court's landmark McDonnell decision. [Read more »](#)

#### **White House Presses Lawmakers To Drop Space Corps Idea**

The White House and senior U.S. Department of Defense officials pushed back strongly Wednesday against the creation of a new military branch, the U.S. Space Corps, as House lawmakers continued to move forward with the proposal during debate over the 2018



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### LAW FIRMS

Adams and Reese

Akin Gump

Allen & Overy

Alston & Bird

Arnold & Porter Kaye Scholer

Baker Donelson

Bass Berry

Best Best

Bracewell

Brownstein Hyatt

National Defense Authorization Act. Read more »

### **House Passes Anti-Human Trafficking Legislation**

The U.S. House of Representatives on Wednesday passed wide-ranging legislation aimed at combating human trafficking, with the bill reportedly providing over \$500 million in funding for various initiatives. Read more »

### **Deputy DOL Pick Avoids Fireworks At Confirmation Hearing**

Deputy labor secretary nominee Patrick Pizzella defended his previous work under disgraced lobbyist Jack Abramoff at a confirmation hearing Thursday and pushed back against contentions that budget cuts proposed by the Trump administration will undermine the U.S. Department of Labor's enforcement ability or its workforce development programs. Read more »

## **BANKING & SECURITIES**

### **CFPB Director Says Arbitration Rule Not A Threat To Banks**

Consumer Financial Protection Bureau Director Richard Cordray has said that his bureau's new rule eliminating class action bans from arbitration agreements posed no risk to the banking system and rejected a fellow regulator's claim that there was not sufficient coordination with other regulators in drafting the rule. Read more »

### **Yellen Says Business Model Could Be Used To Set SIFI Status**

Federal Reserve Chair Janet Yellen said Thursday that her agency was open to the idea of subjecting banks to heightened regulatory scrutiny based on their activities rather than their asset size among other changes to the post-financial crisis regulatory architecture. Read more »

Carson Fischer  
Cleary Gottlieb  
Clifford Chance  
Cohen Weiss  
Cooper & Kirk  
Covington & Burling  
Crowe & Dunlevy  
DAC Beachcroft  
DLA Piper  
Davis & Kuelthau  
Davis Wright Tremaine  
Dentons  
Dorsey & Whitney  
Downey Brand  
Drinker Biddle  
Foley & Lardner  
Fragomen Del Rey  
Frost Brown Todd  
Gardere Wynne Sewell  
Goodwin  
Hogan Lovells  
Kasowitz Benson  
Katten Muchin  
Kaufman Dolowich  
Kinsella Weitzman  
Kirkland & Ellis  
Lippes Mathias  
Littler Mendelson  
Marashlian & Donahue  
Matheny Sears  
McAndrews Held  
McBrayer McGinnis  
McDermott Will  
McGuireWoods  
Miller Johnson  
Mintz Levin  
MoloLamken LLP  
Norton Rose Fulbright

## **6th Circ. Says State GOPs Lack Standing In MSRB Rule Row**

A Sixth Circuit panel has denied petitions filed by three state Republican parties challenging the Municipal Securities Rulemaking Board's recent amendments to rules increasing pay-to-play restrictions on muni advisers, finding Thursday that the parties lack standing to seek review. [Read more »](#)

## **IP & TECHNOLOGY**

### **Lawmakers Slam 'Reprehensible' New Gilstrap Venue Rules**

Members of the House Judiciary Committee on Thursday sharply criticized a recent decision by Eastern District of Texas Judge Rodney Gilstrap that set venue rules for patent cases in a way that may keep many cases in his district, with one congressman calling the ruling "reprehensible." [Read more »](#)

### **Patent System In 'Crisis Mode,' Ex-Fed. Circ. Chief Says**

The former chief judge of the Federal Circuit told a House committee Thursday that the U.S. patent system is in "crisis mode," with America Invents Act reviews and U.S. Supreme Court decisions like Alice creating uncertainty that is undermining the value of patents. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **STB Exceeded Authority On Train On-Time Rule, 8th Circ. Says**

The Eighth Circuit on Wednesday vacated the Surface Transportation Board's rule defining "on-time" Amtrak trains for the purposes of investigating railroad delays, saying the STB exceeded its authority because it's unlikely Congress intended to establish potentially competing standards within the same law. [Read more »](#)

## **INSURANCE**

Ogletree Deakins  
Paul Hastings  
Richman Greer  
Riley Warnock  
Saiber LLC  
Shearman & Sterling  
Sidley Austin  
Simpson Thacher  
Spiegel & McDiarmid  
Steptoe & Johnson LLP  
Stroock & Stroock  
Thompson Coburn  
Weitz & Luxenberg  
Wiley Rein  
WilmerHale  
Wilson Elser

## **COMPANIES**

7-Eleven Inc.  
AAR Corporation  
AARP Inc.  
AbbVie Inc.  
Allstate Corporation  
America's Essential Hospitals  
American Council of Life Insurers  
American Enterprise Institute  
American Federation of Labor and Congress of Industrial Organizations  
American Hospital Association  
Apple Inc.  
Association of American Railroads  
Avalere Health LLC  
BP p.l.c.  
Boehringer Ingelheim  
Buffalo Bills  
CSX Corporation  
Canadian National Railway Company

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### **Pa. Judge OKs Allstate Appeal In Medical Exam Suit**

A Pennsylvania federal judge agreed Wednesday to allow Allstate Insurance Co. to immediately appeal a decision greenlighting claims in a putative class action challenging a policy provision that allegedly requires auto policyholders to undergo physical examination by insurer-chosen doctors to get medical benefits. [Read more »](#)

### **REAL ESTATE**

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### **Fla. Court Strikes City Resolution Blocking Sears Sublease**

A Florida appeals court held Wednesday that a city of Palm Beach Gardens resolution is unconstitutional in requiring the city and a local mall's landlord to agree to any subdivision of space within the mall, ruling that a Sears store has the right to sublease without the landlord's authorization. [Read more »](#)

### **EMPLOYMENT**

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### **House Subcommittee Calls For \$1.3B Cut In DOL Spending Bill**

The House Labor, Health and Human Services and Education Appropriations Subcommittee released its draft funding fiscal year 2018 funding bill Wednesday, calling for about \$10.8 billion in spending for the U.S. Department of Labor, or about \$1.3 billion less than its 2017 level. [Read more »](#)

### **NLRB Nominees Grilled On Policy, Backgrounds At Hearing**

National Labor Relations Board nominees William Emanuel and Marvin Kaplan were tight-lipped about their views on Obama administration labor policy at a confirmation hearing Thursday, telling members of the U.S. Senate Health, Education, Labor and Pension Committee that they would reserve judgment

Chevron Corporation  
Comcast Corporation  
Cray Inc  
Dick's Sporting Goods Inc.  
Exxon Mobil Corporation  
Facebook  
Federalist Society  
Friedman LLP  
Google Inc.  
Institute for Justice  
JPMorgan Chase & Co.  
Major League Baseball Inc.  
National Cable & Telecommunications Association  
National Congress of American Indians  
National Employment Law Project  
National Restaurant Association  
National Right to Work Legal Defense Foundation  
New York Times Co.  
Norfolk Southern Corporation  
Northern Mariana Islands Retirement Fund  
Pacific Legal Foundation  
Petrobras  
Planned Parenthood Federation  
Public Company Accounting Oversight Board  
Sears Holdings Corporation  
Sierra Pacific Industries Inc.  
Spotify Technology SA  
Stryker Corporation  
Temple-Inland Inc.  
The American Law Institute  
The Cato Corporation  
Trump Organization Inc.  
Twitter Inc.  
Union Pacific Corporation



for their possible terms on the board. Read more »

### **Draft Bill To Repeal Fiduciary Rule Attracts Industry Support**

A draft bill that would repeal the U.S. Department of Labor's fiduciary rule for retirement account advisers and place responsibility for a uniform fiduciary standard with the U.S. Securities and Exchange Commission attracted support from the financial industry at a Thursday hearing, but was condemned by the AARP and Democratic lawmakers. Read more »

### **Spain Fined €3M For Delay In Fixing Port Labor Protections**

A European court on Thursday fined Spain €3 million (\$3.4 million) for taking 29 months to fix legislation safeguarding Spanish dock workers after it had been ruled in violation of European Union laws against discriminating against labor from other member nations. Read more »

## **PRIVACY & CONSUMER PROTECTION**

### **Analysis**

### **Trump's Tweets Raise Doubts About Cybersecurity Approach**

A sequence of tweets this week in which President Donald Trump floated the idea of collaborating with Russia to form an "impenetrable cybersecurity unit," only to hastily disavow it amid a storm of criticism, builds on the administration's drive toward collaboration in a way that invites widespread questions over whether such an approach can withstand scrutiny. Read more »

## **AEROSPACE & DEFENSE**

### **GOP Reps Call Out Air Force Unit Over Aircraft Contracts**

Two House Republicans on Wednesday told the U.S. Department of the Air Force that they're concerned about possible problematic

United Auto Workers  
United States Telecom Association  
Verizon Communications  
Washington Post Co.  
Wells Fargo & Co.  
Zimmer Biomet Holdings Inc.

### **GOVERNMENT AGENCIES**

Bureau of Citizenship and Immigration Services  
Bureau of Labor Statistics  
California Natural Resources Agency  
Commodity Futures Trading Commission  
Congressional Budget Office  
Consumer Financial Protection Bureau  
Department of Commerce  
Employee Benefits Security Administration  
Employment and Training Administration  
Equal Employment Opportunity Commission  
European Commission  
European Union  
Executive Office of the President  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Labor Relations Authority  
Federal Railroad Administration  
Federal Reserve System  
Federal Trade Commission  
Financial Reporting Council  
Financial Stability Oversight Council  
Internal Revenue Service

contracting practices at "Big Safari," an Air Force program that handles the acquisition of military aircraft, citing a "troubling story" told by two former Air Force majors. [Read more »](#)

## INTERNATIONAL TRADE

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### **Ex-White House Economists All Oppose Steel Tariff In Letter**

Every living chair of the Council of Economic Advisers, save one, signed an open letter to President Donald Trump, published Wednesday, that warns him not to impose steel tariffs on national security grounds as the administration is considering doing. [Read more »](#)

### **Small Biz Owners Rail On NAFTA's Investor Dispute Section**

A group of over 100 small business owners told President Donald Trump on Wednesday that as he renegotiates the North American Free Trade Agreement, he should remove a section allowing foreign companies to hash out investment disputes in arbitration, a process they say disadvantages domestic businesses. [Read more »](#)

### **EU Softens WTO Proposal To Curb Fisheries Subsidies**

The European Union on Thursday offered a revision to its proposal for a World Trade Organization agreement that will cut down global fisheries subsidies, offering a transitional period during which even companies in developed economies may still receive government support. [Read more »](#)

## TAX

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### **EU Court Adviser Sides With German Drugmaker In VAT Fight**

German drugmakers may be able to include price rebates while calculating value-added tax on sales to private health insurers, just as they can for public health insurance funds, after a

Mine Safety and Health Administration  
Municipal Securities Rulemaking Board  
NAFTA  
National Labor Relations Board  
National Railroad Passenger Corporation  
New York State Assembly  
New York State Senate  
Occupational Safety and Health Administration  
Office of the Comptroller of the Currency  
Office of the Federal Register  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
Small Business Administration  
Surface Transportation Board  
U.S. Attorney's Office  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Marine Corps  
U.S. Office of Personnel Management  
U.S. Senate

European Court of Justice adviser opined that a private health insurance fund is part of the supply chain in the sale of medicinal products. [Read more »](#)

## NATIVE AMERICAN

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### **DOI Touts Support From Tribes, Congressman For New Official**

U.S. Secretary of the Interior Ryan Zinke said Wednesday that a former department official will return in a key role at the DOI with the backing of Native American leaders and the Republican congressman he served as chief of staff. [Read more »](#)

## TELECOMMUNICATIONS

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### **6th Circ. Vacates And Remands FCC Rules**

A Sixth Circuit panel has vacated Federal Communications Commission rules that barred local governmental authorities from regulating the provision of non-telecommunications services by incumbent cable providers as well as its decision to interpret so-called in-kind cable-related exactions as franchise fees, according to an order issued on Wednesday. [Read more »](#)

### **FCC Moves Forward With Considering Robocall Crackdowns**

At its monthly open meeting Thursday, the Federal Communications Commission voted to look into options for implementing a "comprehensive resource" for identifying reassigned numbers and standards for call authentication, measures aimed at cracking down on unwanted, automated phone calls. [Read more »](#)

#### **Analysis**

### **ACA Endgame In Sight As GOP Focuses On Conservatives**

The latest tweaks to Affordable Care Act repeal legislation show that Republicans are

U.S. Supreme Court  
United Nations  
Wage and Hour Division  
World Trade Organization

mainly focused on placating conservatives and have seemingly given up on crafting a bill that avoids large declines in health insurance coverage, experts say. [Read more »](#)

## EXPERT ANALYSIS

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### **New Audit Report Standard Requires New Risk Considerations**

The Public Company Accounting Oversight Board's new audit report standard introduces many changes, but the disclosure of critical audit matters may present the most significant implications and may lead to litigation against auditors, say Michael Braverman and Christopher Ekimoff of Resolution Economics LLC. [Read more »](#)

### **NAFTA In A Land Of Uncertainty**

While a NAFTA renegotiation and modernization seems more likely at this time than a U.S. withdrawal, companies should continue taking proactive measures in a number of areas to reduce the risks under either scenario, say Alejandro Gómez-Strozzi and Andres Alvarez of Gardere Wynne Sewell LLP. [Read more »](#)

### **Welcome Changes For Cos. Hiring Foreign Talent: Part 3**

In the final part of this series, Andrew Greenfield of Fragomen, Del Rey, Bernsen & Loewy LLP examines a new regulation that clarifies when a new employer can take advantage of a prior employer's sponsorship without incurring the cost and risk of new sponsorship. [Read more »](#)

### **Mortgage Servicers Should Review Escheat Compliance**

Several significant developments have transpired in the world of unclaimed property law that could have a significant impact on mortgage servicers' compliance efforts. Fortunately, there are several defenses to escheatment that a mortgage servicer could

potentially rely on, at least in certain states, say attorneys with Alston & Bird LLP. [Read more »](#)

### **Philando Castile And A Criminal Justice System On Trial**

Last month, a jury acquitted police officer Jeronimo Yanez of manslaughter for killing black motorist Philando Castile during a traffic stop. Castile was a victim of America's mass-production approach to criminal justice, which features largely unaccountable and inadequately trained police enforcing frequently unjustifiable laws in a system riddled with disregard for fundamental fairness, says Clark Neily of the Cato Institute. [Read more »](#)

## **LEGAL INDUSTRY**

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### **Alston, Ogletree Attys Among Latest Trump Judge Picks**

President Donald Trump announced 11 new judicial candidates across five states on Thursday, including a partner from Alston & Bird LLP in Georgia and an Ogletree Deakins Nash Smoak & Stewart PC shareholder in North Carolina. [Read more »](#)

### **Senate Panel OKs Trump Judicial Picks Amid Blogging Furor**

The Senate Judiciary Committee approved four of President Donald Trump's original picks for the federal bench on Thursday, including two who had rankled Democratic members for writing politically charged blog posts. [Read more »](#)

### **House Rep's Atty Indicted For Stealing, Posting Nude Pics**

Former counsel for Rep. Stacey Plaskett, the Democratic delegate from the U.S. Virgin Islands, was indicted on Thursday on cyberstalking charges after being accused of leaking nude photos and videos stolen off of her iPhone, along with another staffer who

allegedly lied to investigators following the alleged crime. [Read more »](#)

### **Judge's Tweets Don't Merit Recusal, 9th Circ. Says**

The Ninth Circuit on Thursday upheld a \$122.5 million California wildfire settlement, saying that alleged improper tweets by a federal judge were not grounds for recusal. [Read more »](#)

### **Alsup Says Davis Wright Attys For Spotify Misled Him**

U.S. District Judge William Alsup said at a hearing on Thursday that Spotify's attorneys from Davis Wright Tremaine LLP misled him in their bid to end a putative class action over auto-renewals, saying that the lawyers tricked him into believing the lead plaintiff had "admitted the case away" in his deposition when he hadn't. [Read more »](#)

### **Law360's Weekly Verdict: Legal Lions & Lambs**

Attorneys at MoloLamken LLP and Stroock & Stroock & Lavan LLP topped this week's legal lions list by securing an order vacating former New York State Assembly Speaker Sheldon Silver's 2015 corruption conviction, while Attorney General Jeff Sessions and lawyers for a pilots union landed on the legal lambs list after they were issued a stern warning at the Seventh Circuit for filing jurisdictional statements with "obvious flaws." [Read more »](#)

### **DAC Beachcroft Reports Rise In Revenue, Hitting £207M**

London-based law firm DAC Beachcroft saw a 2.5 percent increase in revenue for the fiscal year ended April 30, reaching £207 million (\$267.5 million), the firm said in a statement Thursday. [Read more »](#)

### **CORRECTION: Clifford Chance On The March In US, Asia As Firm Grows**

Clifford Chance LLP posted growth in its global revenue last year of 11 percent to £1.54 billion,

an up-year the law firm says was driven in part by a deliberate strategy to grow its Americas and Asia Pacific offices. Correction: A previous version of this story included inaccurate information about Clifford Chance's 2016-17 financial results. The error has been corrected. [Read more »](#)

## **JOBS**

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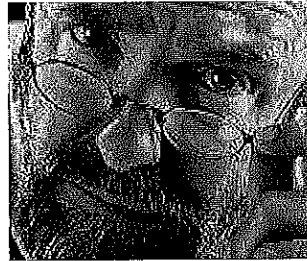
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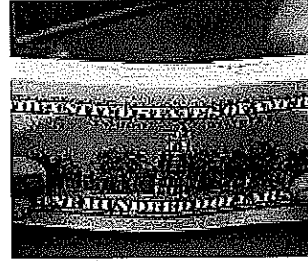
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*American Health*



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Insurance Are In For A  
Big Surprise**  
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# GREAT AMERICAN DAILY NEWSLETTER

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Dear Patriot,



Acts of hate-filled violence against Republicans seem to be happening every single day.


And Elizabeth Warren just put some fuel on the flames of hatred.

People are reeling about the statements she just made.

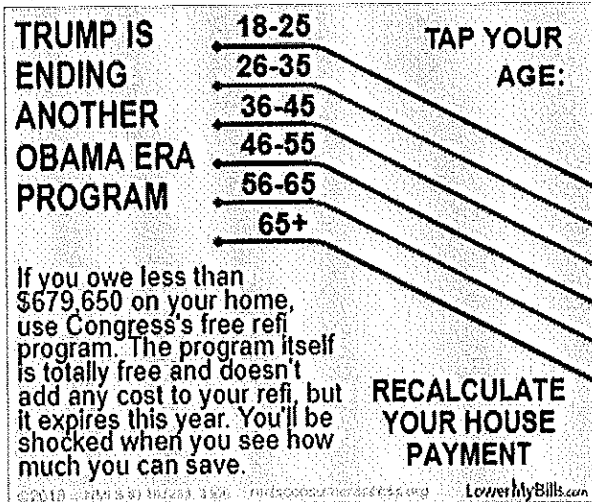
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Kelly Walsh, Editor

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### More News

- [Elizabeth Warren Just Made A Dangerous Call To Action](#)

- [The FBI Investigation Involving Bernie Sanders Is Even Worse Than You Think](#)
- [Tennis Legend Sparks Controversy Over Homosexual Marriage](#)
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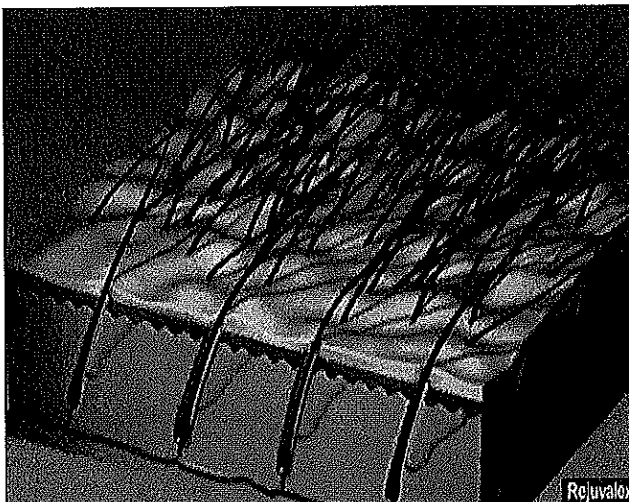
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### Cast Your Vote Below:

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- [Should Liberals Use This GOP Shooting?](#)
- [More Gun Control?](#)

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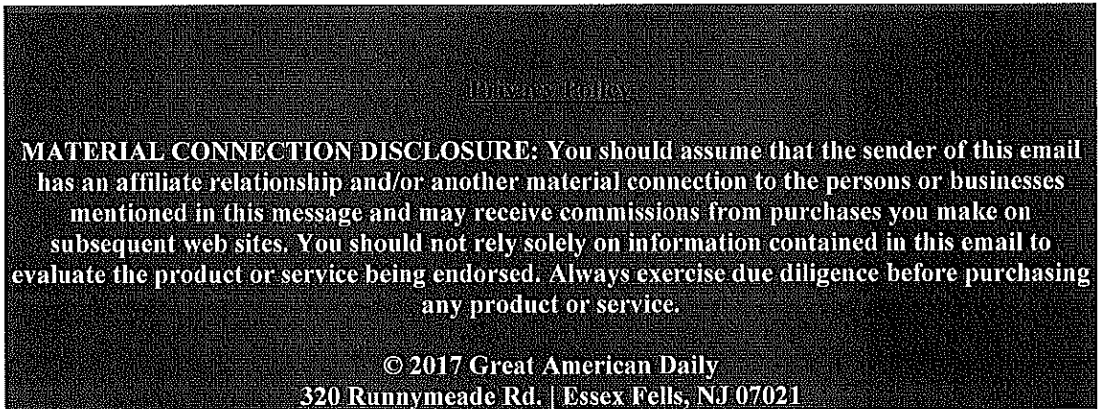
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## Best Hair Growth Formula Ever is Selling Like Crazy!

Doctor reveals simple hair growth solution that big pharmaceutical companies don't want you to know about.

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**Subject:** Lobbyist gift-giving an issue in more states

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## TOP NEWS July 19, 2017

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### **Lobbyist gift-giving an issue in more states**

*Stateline*

The laws that govern gift-giving from lobbyists to public officials vary widely from state to state. In Pennsylvania and other states with relatively lenient laws, good-government activists and some elected officials have been working to impose tougher restrictions on gift-giving by lobbyists.

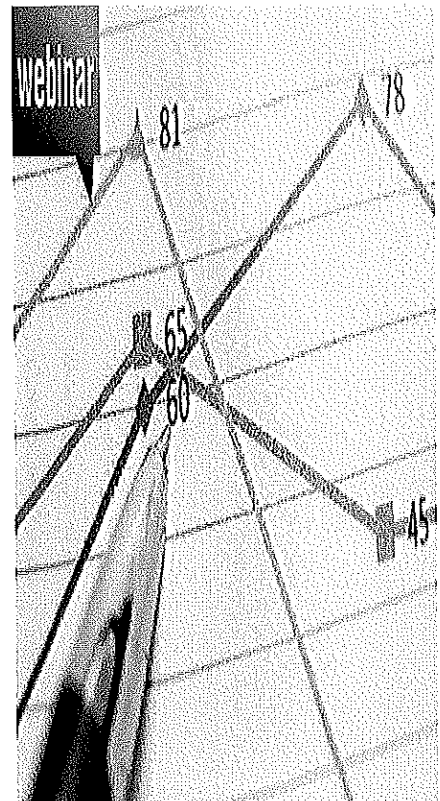
NCSL's legislator gift restrictions overview.

### **A new tool for when states squabble: travel bans**

*The New York Times*

For a handful of liberal states, bans on government travel

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have become political pressure points during the country's debate about gay and transgender rights. **NCSL cited.**

### **Do vertical driver's licenses reduce underage liquor sales?**

*Knoxville News-Sentinel*

With a bill spearheaded through the Tennessee Legislature by state Sen. Becky Duncan Massey, R-Knoxville, the Volunteer State next year will be the 48th state to adopt the vertical license format for minors. Minnesota and Oregon do not use the vertical orientation for minor drivers. **NCSL cited.**

### **Study: Female lawmakers holding their own - and then some - in Pennsylvania**

*The Philadelphia Inquirer*

Their numbers might be paltry, but by any measure Pennsylvania's female legislators are holding their own — and then some — in the male-dominated halls of Harrisburg.

NCSL's Women's Legislative Network

### **Blind 'drivers' step up to shape push for autonomous cars**

*Bloomberg*

The revolution in self-driving cars holds promise for a segment of the population that thought they'd never be able to operate a vehicle: the blind. **NCSL's Amanda Essex quoted.**

NCSL research on autonomous vehicles.

### **Seattle brings emoji-based food safety rulings to America**

#### **FEATURED**

### **Friday webinar: Stress testing pension plans**

Policymakers need tools to better assess what will happen if returns continue to fall short of expectations and to understand how sudden asset losses from a recession would affect both the funding levels of their states' pension plans as well as required employer contributions. Stress testing offers a set of tools for policymakers to answer these questions.

#### **NEW@NCSL**

Policies for consideration at Legislative Summit

### **LegisBrief: Tackling solar energy's 'soft costs'**

### **State approaches to reducing health disparities**

#### **BLOG**




### **Thursday webinar: State preschool programs**

### *Governing*

Walk by a Seattle restaurant today and you might notice a smiley face on the window. The emojis, which started appearing in January, indicate the business' food safety rating.

Steve Barnett with the National Institute for Early Education Research will highlight the key findings from the annual State Preschool Yearbook during NCSL's webinar, State Preschool Programs: Annual National Institute for Early Education Research Update, Thursday at 2 p.m. ET.

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Tuesday, August 1, 2017



## TOP NEWS

### Analysis

#### **3 Questions Environmental Attorneys Have About The CWA**

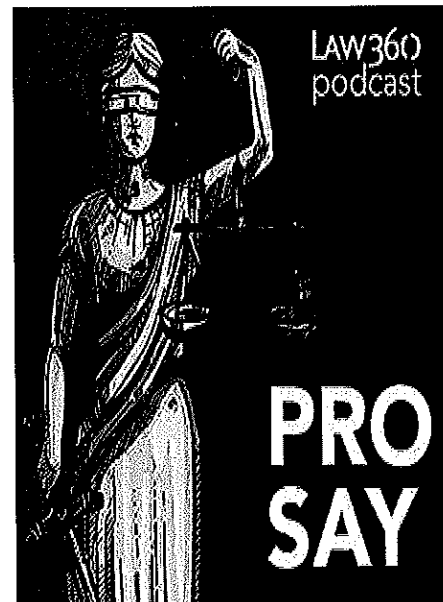
The Obama administration's controversial interpretation of the term "waters of the United States" in the Clean Water Act put the 45-year-old statute at the center of one of the most hotly contested environmental policy debates in recent years, and there are plenty of other gray areas when it comes to how the CWA should be put into practice. This is the second in a seven-part series on important open questions about environmental law. [Read more »](#)

#### **Senate Advances Bradley Arant Partner For 11th Circ. Post**

The Senate is a step closer to filling an Eleventh Circuit seat after President Donald Trump's pick for the vacancy passed a major procedural hurdle Monday. [Read more »](#)

#### **Mnuchin Blinks At 'No Absolute' Tax Cuts Pledge For Rich**

Treasury Secretary Steven Mnuchin appeared Monday to no longer be committed to his pledge for the wealthiest Americans to see "no absolute tax cut" thanks to eliminated deductions offsetting slashed rates, instead



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### LAW FIRMS

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Baker Botts  
Ballard Spahr  
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Bracewell  
Bradley Arant  
Brune Law PC  
Chadbourne & Parke

hedging that many, but not all, won't be seeing a net tax break. [Read more »](#)

#### Analysis

### **Why Silver Is Taking A Case He Won To The Supreme Court**

Former New York state lawmaker Sheldon Silver got his corruption conviction overturned on appeal, but now he's asking the U.S. Supreme Court to look at the decision and make prosecutors work harder in money laundering cases, an attempt that experts say might get the justices' attention. [Read more »](#)

### **Acting Comptroller Forgoes CFPB Arbitration Rule Challenge**

A banking regulator appointed by President Donald Trump on Monday announced that he will not seek to eliminate the Consumer Financial Protection Bureau's arbitration rule, leaving a potential vote in Congress the biggest threat to the regulation. [Read more »](#)

### **Amazon 3rd-Party Vendors May Waive Prior State Sales Taxes**

A committee within the Multistate Tax Commission, an intergovernmental tax agency, on Monday adopted a time-limited program that will allow Amazon.com Inc.'s third-party sellers to have prior state sales and use tax liabilities waived if they agree to collect and remit those taxes going forward. [Read more »](#)

### **9th Circ. Will Hear Arguments For Nixing Kids' Climate Suit**

The Ninth Circuit said Friday it will hear arguments on a rare request by the federal government to instruct an Oregon federal court to toss a lawsuit brought by young people and activists accusing the U.S. of failing to protect future generations from climate change. [Read more »](#)

### **Trump Selects Iraq Veteran To Serve As EEOC Commish**

Chiesa Shahinian

Cleary Gottlieb

Cotchett Pitre

Covington & Burling

Crowell & Moring

Davis & Gilbert

Davis Wright Tremaine

Dentons

Dickstein Shapiro

Dorsey & Whitney

Duane Morris

Earthjustice

Fox Rothschild

Gibson Dunn

Haynes and Boone

Hunton & Williams

Jones Day

Keller and Heckman

Kellogg Hansen

Lieff Cabraser

Locke Lord

Loeb & Loeb

Morgan Lewis

Nixon Peabody

Norton Rose Fulbright

Proskauer Rose

Sandler Reiff

Sanford Heisler

Seyfarth Shaw

Shepherd & Wedderburn

Skadden

Troutman Sanders

Venable LLP

Vinson & Elkins

Winstead PC

COMPANIES

Accenture plc

Alexion Pharmaceuticals Inc.



President Donald Trump on late Monday picked military veteran and Bush administration alumnus Daniel M. Gade to fill the final open seat on the five-member U.S. Equal Employment Opportunity Commission. [Read more »](#)

## BANKING & SECURITIES

### **SEC Still Weighing Controversial Confidential ETFs**

The U.S. Securities and Exchange Commission on Friday gave itself more time to review an application to list shares of an opaque, actively managed, exchange-traded fund on the Bats BZX exchange, the second such application the agency has reviewed this year after denying previous incarnations over transparency concerns. [Read more »](#)

### **SEC Won't Stay Tilton Case While Justices Weigh ALJ Review**

The U.S. Securities and Exchange Commission said Friday that it won't pause its administrative proceedings against private equity magnate Lynn Tilton pending possible U.S. Supreme Court review of two challenges to the constitutionality of the agency's hiring of in-house judges. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### **EPA To Add 11 Superfund Sites, Including NY Village Area**

The U.S. Environmental Protection Agency on Monday said it plans to add 11 Superfund sites to its roster, including an area in New York at the center of a pending class action involving Honeywell International and Saint-Gobain Performance Plastics Corp. [Read more »](#)

### **Trump Admin Illegally Suspended Enviro Reg, Nonprofits Say**

The U.S. Department of Transportation's Federal Highway Administration has illegally suspended a regulation designed to curb

Alliance Defending Freedom  
Amazon.com Inc.  
American Bankers Association  
American Bar Association  
American Civil Liberties Union  
American Federation of Labor and Congress of Industrial Organizations  
American Gaming Association  
Audi AG  
Avaya Inc.  
British Broadcasting Corp.  
Burford Capital LLC  
Business Roundtable  
CA Inc.  
CITGO Petroleum Corp.  
Center for Internet Security  
Chevron Corporation  
Cisco Systems Inc.  
Citigroup Inc.  
ClearBridge Investments LLC  
Community Choice Financial Inc.  
ConocoPhillips  
Consumer Bankers Association  
CrowdStrike Inc.  
DraftKings Inc.  
Eaton Vance Corporation  
Ernst & Young  
FanDuel Inc.  
Financial Services Roundtable  
Geico  
Goldman Sachs Group Inc.  
Honeywell International Inc.  
International Business Machines Corporation  
Inverness Medical Innovations, Inc.  
Kaspersky Lab Ltd.  
Lannett Company, Inc.  
Legg Mason Inc.

greenhouse gas emissions on national highways without providing public notice or allowing public comment, according to a lawsuit filed by nonprofits in New York federal court Monday. [Read more »](#)

### **EPA Fights Enviros' Bid For Quick Win In Effluent Rule Suit**

The Environmental Protection Agency asked a D.C. federal judge Friday to toss green groups' challenge to its postponing the effective dates of a rule setting toxicity limits for power plant wastewater, saying the EPA has full authority to stay compliance deadlines if "justice so requires." [Read more »](#)

## **HEALTH & LIFE SCIENCES**

### **Judge Strikes Down Ala. Law Appointing Atty For Fetuses**

Parts of an Alabama law that would've appointed an attorney to represent the fetus while a minor sought judicial consent to have an abortion absent her parents' consent are unconstitutional, a federal judge said Friday, citing privacy issues and the unreasonable restriction of abortion access. [Read more »](#)

## **MEDIA & ENTERTAINMENT**

### **Del. Becomes Latest State To Legalize Fantasy Sports**

Delaware governor John Carney has signed a bill legalizing fantasy sports games like those run by FanDuel and DraftKings in the state, the latest in a trend toward legalizing the games amid a fight over the federal sports-betting ban currently waging before the U.S. Supreme Court. [Read more »](#)

## **TRANSPORTATION & INFRASTRUCTURE**

### **DC Circ. Says FAA Must Study Shrinking Airline Seat Sizes**

LinkedIn Corp.  
MobileIron Inc.  
National Collegiate Athletic Association  
National Conference of State Legislatures  
National Indian Gaming Association  
National Right to Work Legal Defense Foundation  
Natural Resources Defense Council  
New York State Common Retirement Fund  
New York University  
Nuveen Investments  
Openlane Inc  
Pegasystems Inc.  
Penske Media Corp.  
Physicians for Social Responsibility  
Porsche  
Public Company Accounting Oversight Board  
Rentech Inc.  
Royal Dutch Shell PLC  
Sierra Club  
SolutionPoint International Inc.  
Southern Environmental Law Center  
State Bar of California  
State Farm  
Steward Health Care System LLC  
Teladoc Inc.  
Twitter Inc.  
Volkswagen

## **GOVERNMENT AGENCIES**

Army Corps of Engineers  
Bureau of Citizenship and Immigration Services

The D.C. Circuit said Friday that the Federal Aviation Administration must properly examine the health and safety effects that shrinking commercial airline seats have on passengers, finding that the agency used shoddy reasoning to reject a passenger rights group's petition to have the FAA regulate airline seat sizes. [Read more »](#)

## HOSPITALITY

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### **Florist Asks To Join Baker In High Court Gay Marriage Row**

A Washington florist has asked the U.S. Supreme Court to decide whether her refusal to provide services for a same-sex wedding can be considered discrimination alongside the similar appeal of a baker whose case the court has already accepted. [Read more »](#)

## EMPLOYMENT

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### **Mo. Court OKs Ballot Language Undoing Right-To-Work Law**

A Missouri state appeals court on Friday reversed a decision tweaking language in a ballot referendum proposed by the state's AFL-CIO that would nullify a so-called right-to-work law passed earlier this year, saying the original wording was clear enough to merit collecting signatures. [Read more »](#)

### **NJ Assembly Passes Bill To Block Atlantic City Layoffs**

The New Jersey Assembly passed legislation Monday that would require the state to offer an early retirement incentive plan to public safety employees in Atlantic City before being able to fire them, a few months after a state court blocked proposed layoffs of police officers and firefighters in the struggling resort town. [Read more »](#)

## COMPETITION

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Consumer Financial Protection Bureau  
Equal Employment Opportunity Commission  
European Union  
Federal Aviation Administration  
Federal Bureau of Investigation  
Federal Communications Commission  
Federal Highway Administration  
Federal Trade Commission  
Financial Stability Oversight Council  
Food and Drug Administration  
Government Accountability Office  
National Aeronautics and Space Administration  
National Council on Disability  
National Institute of Standards and Technology  
National Mediation Board  
New York State Assembly  
Office of Foreign Assets Control  
Office of the Comptroller of the Currency  
Securities and Exchange Commission  
Small Business Administration  
Special Inspector General for Afghanistan Reconstruction  
Texas State Senate  
Transportation Security Administration  
U.S. Customs and Border Protection  
U.S. Department of Defense  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Transportation  
U.S. Department of the Treasury

## **Bill Would Grant Antitrust Immunity To Boards For Reforms**

State professional boards could see their immunity to antitrust suits restored should lawmakers act on a recently introduced bill that would encourage the boards to do away with overly burdensome professional licensing requirements. [Read more »](#)

## **PRIVACY & CYBERSECURITY**

### **Analysis**

### **Calif. Connected Device Privacy Bill Offers Risky Leeway**

Makers of internet-connected devices argue that policymakers should not enact strict mandates on data security and privacy that could dampen innovation in their evolving industry, and to that end, first-of-its-kind California legislation might seem to be ideal. But the would-be law's flexibility could invite security gaps that might imperil consumers' privacy and make the devices — and the companies that make them — vulnerable to cyberattack, attorneys say. [Read more »](#)

### **Congressman Wants Info On Gov't Use Of Kaspersky Software**

The chair of the House Science, Space and Technology Committee has asked a number of federal agencies to fork over information relating to their use of and discussions surrounding Kaspersky Lab's services in light of concerns over the Russian cybersecurity company's potential ties to its home country's government, the committee said Friday. [Read more »](#)

### **Texas BigLaw Leaders Line Up Against State 'Bathroom Bill'**

A half-dozen of Houston's top lawyers were among the dozens of oil, finance and other executives who on Monday told the Texas governor a proposed "bathroom bill" that would bar transgender people from using a bathroom

U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Immigration and Customs Enforcement  
U.S. Senate  
U.S. Supreme Court  
United Nations  
Washington Attorney General's Office

of their choice would hurt the state's economy.  
[Read more »](#)

## CONSUMER PROTECTION

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### **CFPB Warns Cos. About Phone Payment Fee Disclosures**

The Consumer Financial Protection Bureau on Monday warned companies against using potentially misleading tactics to trick consumers into paying high fees for paying expenses over the phone. [Read more »](#)

## MEDICAL MALPRACTICE

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### **Proposed \$200M Pa. Cash Grab Spurs Insurer Lawsuit Threat**

A state-created entity aimed at providing malpractice insurance to doctors and health care facilities said Monday that it would file suit if Pennsylvania legislators move ahead with efforts to seize \$200 million worth of its funds to help close a nagging budget gap. [Read more »](#)

## AEROSPACE & DEFENSE

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### **DOD Can't Show \$458M In Intel Programs Worked, SIGAR Says**

The U.S. Department of Defense cannot show the effectiveness of two programs meant to build the intelligence capabilities of the Afghanistan armed forces despite spending nearly \$458 million, because it did not use appropriate performance metrics, a government watchdog found in a report made public Monday. [Read more »](#)

### **Iran Cos. Sanctioned After 'Provocative' Space Launch**

The Office of Foreign Assets Control on Friday sanctioned six Iranian companies associated with an entity that OFAC said is central to Iran's ballistic missile program, citing

"provocative" recent actions such as Iran's launch of a space rocket. [Read more »](#)

## INTERNATIONAL TRADE

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### **US Sanctions Venezuela President After 'Sham' Election**

The U.S. government sanctioned Venezuela's President Nicolas Maduro on Monday, calling him a "dictator" after the country held elections for a new constituent assembly that U.S. officials say would undermine democratic processes and allow further control of an oppressive regime. [Read more »](#)

## IMMIGRATION

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Analysis

### **What To Know About New Acting DHS Chief Elaine Duke**

Elaine Duke officially took the reins as acting homeland security secretary on Monday following last week's surprise announcement that former U.S. Department of Homeland Security Chief John Kelly was heading to the White House. Here's what you need to know about Duke, a longtime public servant who's worked at DHS under three presidents. [Read more »](#)

### **DHS Needs 1.25M Applicants To Get 15K New Agents: Report**

The U.S. Department of Homeland Security is facing "significant challenges" in meeting a goal set by President Donald Trump in January of hiring an additional 15,000 immigration officers and agents, according to the agency's Office of Inspector General. [Read more »](#)

## NATIVE AMERICAN

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Analysis

### **Health Vote Threat Could Undercut DOI Actions In Alaska**

Reports that U.S. Interior Secretary Ryan Zinke last week threatened Alaska's senators

with retaliatory action if Sen. Lisa Murkowski held firm against Republican health care legislation could come back to bite the Trump administration if its legal justifications for any new rulemakings or permit decisions involving Alaska aren't rock-solid, experts say. [Read more »](#)

### **Native Group Joins Fight To End Sports Gambling Ban**

Native American gambling advocates joined the fight against the federal prohibition on sports gambling as the National Indian Gaming Association on Monday joined the ranks of a coalition spearheaded by the American Gaming Association aiming to undo the ban. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **Analysis**

### **What To Expect At The FCC's August Meeting**

The Federal Communications Commission is set to consider initiatives for extending broadband service to underserved areas at its open meeting on Thursday, according to a recently released agenda. Here, Law360 looks at the two top issues expected to make waves at the meeting. [Read more »](#)

### **DC Circ. Urged To Rethink Nixing FCC Inmate Call Rates Cap**

A group of nonprofit intervenors urged the D.C. Circuit on Friday to rethink its decision refusing a Federal Communications Commission move during the Obama administration to place a limit on certain inmate calling costs, saying the decision contradicts so-called Chevron principles as well as decisions of the U.S. Supreme Court. [Read more »](#)

## **PEOPLE**

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### **Dorsey & Whitney Enviro Pro, 'Best Partner' Jim Rubin Dies**

James Rubin, a widely respected environmental attorney at Dorsey & Whitney LLP who focused on air pollution and climate change law and policy, died on Friday at the age of 54 from complications arising from cancer. [Read more »](#)

## EXPERT ANALYSIS

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### Series

#### **15 Years Of SOX: The WorldCom And Enron Securities Cases**

The private securities cases involving WorldCom and Enron, which were ongoing at the time the Sarbanes-Oxley Act was enacted 15 years ago, served notice on board members and corporate executives of the very real and costly consequences of being asleep at the switch, say Jeffrey Golan and Chad Carder of Barrack Rodos & Bacine. [Read more »](#)

#### **How State High Courts Are Reshaping Anti-SLAPP Laws**

Three recent decisions from the California, Massachusetts and Texas high courts reflect continued judicial shaping of anti-SLAPP statutes. Employers, media companies and other potential SLAPP litigants should note how state laws in this area continue to evolve, sometimes in divergent directions, say attorneys with Crowell & Moring LLP. [Read more »](#)

#### **The Missed Opportunity Of The CFPB's Arbitration Rule**

Despite having plenty of time to consider alternatives, the Consumer Financial Protection Bureau missed or dismissed important sources of data and insight that would have helped it better understand arbitration when creating its new arbitration rule. Those missed opportunities help explain why concerns linger about whether the rule is truly in the public interest, say Eric Mogilnicki



and Eitan Levisohn of Covington & Burling LLP. [Read more »](#)

### **Gay Couple's Cake Poses Big 1st Amendment Questions**

Although the facts and background of Masterpiece Cakeshop v. Colorado Civil Rights Commission — the “gay wedding cake” case that will be heard by the U.S. Supreme Court next term — are relatively simple, the case represents a complex conflict between First Amendment and anti-discrimination claims, says JoAnne Sweeny, associate professor of law at the University of Louisville, Louis D. Brandeis School of Law. [Read more »](#)

#### **Monthly Column**

### **Congressional Forecast: August**

Senate Democrats, upset with the speed and secrecy with which Republicans were drafting health care legislation, have slowed down consideration of Trump administration nominees. But with the health care debate shelved for now, an agreement to clear many nominees may be in the works, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

## **LEGAL INDUSTRY**

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### **Proskauer Partner Says \$50M Gender Bias Suit Should Survive**

A female Proskauer Rose LLP partner urged a Washington, D.C., federal court not to toss her \$50 million gender bias suit before discovery Friday, rejecting the firm’s claim that as a firm partner she lacks the statutory protections given “employees.” [Read more »](#)

### **The Top In-House Hires Of July**

July’s notable legal department appointments include a former FDA policy analyst joining a trade organization for generic drugs, a Jones Day partner making the move to Business Roundtable, and a new deputy general counsel for Penske Media Corp. [Read more »](#)

### **Calif. Bar Committee Presents Proposal To Lower Pass Score**

The legal community is invited to weigh in on the future of California bar exam scores after a much-anticipated study from the State Bar of California yielded two potential ways forward: either leaving the passage score as 144, or lowering it to 141 on an interim basis. [Read more »](#)

### **Most NY Contingent Fee Cases Don't Make It To Judge Or Jury**

Just 1.3 percent of contingency fee cases in New York courts are adjudicated, far fewer than the 13 percent of federal court cases that are resolved by dispositive motions, new research has found. [Read more »](#)

### **Burford Clinches Portfolio Funding Deal With UK Firm**

U.K. law firm Shepherd & Wedderburn LLP and leading litigation financier Burford Capital LLC have inked a deal to fund an array of the firm's cases as part of the first portfolio-based litigation funding agreement with a major British firm, according to a joint statement released Monday. [Read more »](#)

### **Plaintiffs Bar Perspective: Lieff Cabrer's David Stelling**

I've had moments late at night when I asked myself whether I'd be happier trying cases on behalf of a single client instead of representing a group of thousands or millions of people. My answer always has been no, says David Stelling of Lieff Cabrer Heimann & Bernstein LLP. [Read more »](#)

#### **JOBS**

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**From:** Public Policy Law360  
**Sent:** Friday, August 25, 2017 5:35 AM  
**To:** Rep30  
**Subject:** Anti-Trump Website Host Ordered To Give DOJ Protester Info



Friday, August 25, 2017



## TOP NEWS

### **Anti-Trump Website Host Ordered To Give DOJ Protester Info**

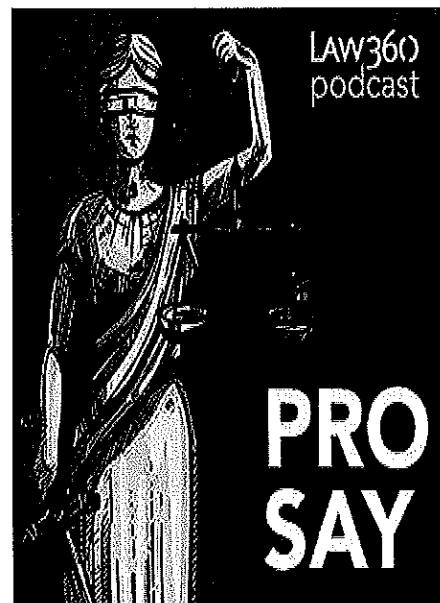
A D.C. judge ordered internet hosting service DreamHost Inc. on Thursday to comply with a federal search warrant seeking data from a website that organized anti-Trump protests during this year's presidential inauguration, though the judge agreed to supervise the process amid First Amendment concerns. [Read more »](#)

### **Mass. 1st Amendment Row Over Anti-SLAPP Law Might Settle**

The parties in a suit that could have reshaped First Amendment rights in Massachusetts said in a filing Wednesday that they're close to settling the dispute over alleged defamation linked to architectural renderings of a dream home. [Read more »](#)

### **Texas Judge Denies NAACP Bid To Intervene In EEOC Case**

A Texas federal judge on Wednesday denied a bid by the NAACP Legal Defense Fund and other groups to intervene in the state's challenge of U.S. Equal Employment Opportunity Commission guidance on the use of criminal background checks in hiring, rejecting their claim that the Trump



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#### LAW FIRMS

Akin Gump  
Arnold & Porter Kaye Scholer  
Ashurst LLP  
Baker Botts  
Berkey Williams  
Bradley Arant  
Cadwalader Wickersham  
Casellas Alcover

administration would cede the case. Read more »

#### Analysis

### **DC Circ. Ruling Sets Stage For Longer, Costlier FERC Reviews**

The D.C. Circuit's recent ruling that the Federal Energy Regulatory Commission should have analyzed downstream greenhouse gas emission impacts before approving a natural gas pipeline to Florida will force the agency to more fully address climate change in future project reviews, making the approval process longer and more expensive for developers, experts say. Read more »

### **CBO Stresses Its 'Culture Of Objectivity' On ACA Repeal**

The Congressional Budget Office on Thursday pushed back against questions about its objectivity on Affordable Care Act repeal efforts, releasing an unusual letter to a Republican congressman who has criticized the nonpartisan agency. Read more »

### **Fried Frank Partner Tapped As New DOJ Antitrust Deputy**

The U.S. Department of Justice has brought in another deputy assistant attorney general for its Antitrust Division, with the agency on Thursday confirming the addition of former Fried Frank Harris Shriver & Jacobson LLP partner and Federal Trade Commission veteran Bernard A. Nigro to its ranks. Read more »

## **ENERGY & ENVIRONMENTAL**

### **DOE Electricity Grid Study Points To Impact Of Gas On Coal**

A politically charged report on the nation's power grid reliability published by the Department of Energy late Wednesday found that natural gas has been the driving factor in

Chaffe McCall  
Cleary Gottlieb  
Cohen Milstein  
Covington & Burling  
Cravath Swaine  
Davis Polk  
Day Pitney  
Drinker Biddle  
Earthjustice  
Fox Rothschild  
Freshfields  
Fried Frank  
Hogan Lovells  
Holland & Hart  
Irwin Fritchie  
K&L Gates  
Keker Van Nest & Peters  
Keogh Law Ltd.  
Kilpatrick Townsend  
King & Spalding  
Kirkland & Ellis  
Labaton Sucharow  
Levy Ratner  
Lewis Brisbois  
Linklaters  
Littler Mendelson  
Ludwig & Robinson  
McGuireWoods  
Mitchell Williams  
Morgan Lewis  
Murray & Murray  
Paul Hastings  
Paul Weiss  
Pepper Hamilton  
Pillsbury Winthrop  
Polsinelli  
Potter Anderson  
Proskauer Rose

pushing nuclear and coal plants toward retirement. [Read more »](#)

### **BLM To Fix 'Narrow Deficiencies' In Water Project Approval**

A federal judge on Wednesday concluded that the U.S. Bureau of Land Management mostly fulfilled its duties in deciding to allow the Southern Nevada Water Authority to build the first phase of a water redistribution pipeline project meant to transport millions of gallons of water across the state, but he told the agency to fix some "narrow deficiencies." [Read more »](#)

### **Summit Sues Feds For Defunding Clean Energy Project**

Summit Texas Clean Energy LLC hit the federal government with a suit on Wednesday alleging the U.S. Department of Energy breached an implied duty of good faith when it publicly withdrew its support for the company's project designed to capture and store carbon dioxide [Read more »](#)

### **Fisheries Service Gets Quick Win In Reporting Methods Fight**

A D.C. federal judge on Thursday handed a quick win to the National Marine Fisheries Service in a suit challenging its bycatch reporting methodology, ruling that the service has established sufficient standardized methods that meet the requirements of the Magnuson-Stevens Act. [Read more »](#)

## **MEDIA & ENTERTAINMENT**

### **New Jersey Joins List Of States With Fantasy Sports Laws**

New Jersey became the latest state to legalize daily fantasy sports games like those run by FanDuel and DraftKings after Gov. Chris Christie on Thursday signed a bill expressly legalizing and regulating the games in the state. [Read more »](#)

## **EMPLOYMENT**

Quinn Emanuel  
Saul Ewing  
Scott D. Owens Law Firm  
Shapiro Arato  
Shearman & Sterling  
Shook Hardy  
Sidley Austin  
Slaughter and May  
Steptoe & Johnson LLP  
Sullivan & Cromwell  
Tucker Ellis  
Venable LLP  
Vinson & Elkins  
Watkins & Eager  
Weil Gotshal  
Willkie Farr

## **COMPANIES**

Amazon.com Inc.  
American Bar Association  
American Federation of Labor and Congress of Industrial Organizations  
Assured Guaranty Ltd.  
Babcock & Wilcox Co.  
Barclays Capital Inc.  
Bayer AG  
Center for Biological Diversity Inc.  
Colfax Corporation  
DraftKings Inc.  
Facebook  
FanDuel Inc.  
Goldman Sachs Group Inc.  
Gulf Oil Limited Partnership  
Johnson & Johnson  
Kaspersky Lab Ltd.  
LinkedIn Corp.  
Los Angeles Lakers  
Media General Inc.

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### **SEIU, Fight For \$15 Launching Campaign For Pro-Worker Pols**

Members of the Service Employees International Union and Fight for \$15 will campaign to unseat battleground-state politicians who have opposed minimum wage increases and union rights starting Labor Day, the groups said Thursday. [Read more »](#)

### **AFL-CIO Demands US Action On Mauritania Labor Policies**

The AFL-CIO on Wednesday pressured the Trump administration to consider removing Mauritania from a key trade preference program, citing the "widespread" existence of slave and child labor in the West African nation. [Read more »](#)

## **PRIVACY & CYBERSECURITY**

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### **White House Advisory Group Urges Action On Cyberthreats**

A White House advisory group issued a warning on the readiness of U.S. cybersecurity infrastructure to handle aggressive cyberattacks, finding that the country is currently in a pre-9/11 situation when it comes to the threat of a massive cyberattack, but the opportunity to prevent such an incident does exist. [Read more »](#)

## **AEROSPACE & DEFENSE**

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### **McCaskill Wants DOD To Explain Improper Payment Program**

Sen. Claire McCaskill, D-Mo., asked the U.S. Department of Defense on Wednesday to explain its efforts to track and cut down on improper payments, citing a recent watchdog report claiming the DOD had failed to follow related statutory requirements. [Read more »](#)

## **BANKRUPTCY**

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NAACP Legal Defense and Educational Fund Inc.  
National Employment Law Project  
National Milk Producers Federation  
National Rifle Association of America  
National Right to Work Legal Defense Foundation  
Natural Resources Defense Council  
New York Times Co.  
Nexstar Broadcasting Group, Inc.  
Oceana Inc.  
Reckitt Benckiser Group PLC  
S&P Global Inc.  
S.A.C. Capital Advisors LP  
SNL Financial LC  
Service Employees International Union  
Sierra Club  
Skype Technologies SA  
Southern Poverty Law Center  
Spokeo Inc.  
Summit Power Group LLC  
Trader Joe's Co.  
WhiteWave Foods Co.  
Whole Foods Market, Inc.  
YouTube Inc.

## **GOVERNMENT AGENCIES**

Bureau of Labor Statistics  
Bureau of Land Management  
Cherokee Nation  
Commodity Futures Trading Commission  
Congressional Budget Office  
Consumer Financial Protection Bureau  
Department of Commerce

## **Puerto Rico Creditors Want In On \$6.2B Adversary Suit**

Unsecured creditors blasted a decision by the judge overseeing Puerto Rico's ongoing restructuring that bars them from appearing in a bond insurer suit over the island's fiscal plan, telling the First Circuit on appeal that the judge clearly erred by boxing them out of such a crucial adversary proceeding. [Read more »](#)

## **IMMIGRATION**

### **Border Patrol Policy Didn't Target Hispanics, 6th Circ. Says**

A Sixth Circuit panel found Thursday that the U.S. Border Patrol's Sandusky Bay Station in Ohio did not exhibit a policy of allowing its agents to target individuals of Hispanic appearance, reasoning that there was no evidence of such a policy and affirming an Ohio federal court's decision in a suit brought by two migrant farmworkers organizations. [Read more »](#)

## **NATIVE AMERICAN**

### **Tribe Pushes To Revive Suit Over Calif. Gov. Casino OK**

The United Auburn Indian Community continued Wednesday to press the California Supreme Court to revive its lawsuit challenging Gov. Jerry Brown's role in greenlighting another tribe's competing off-reservation casino project, calling his arguments that he had not exceeded his authority or violated the separation of powers among government branches "off the mark." [Read more »](#)

## **EXPERT ANALYSIS**

### **Dairy Vs. Plant-Based 'Milks': A Regulatory Standoff**

Sales of nondairy milk alternatives are flourishing, but the dairy industry charges the U.S. Food and Drug Administration with failing to enforce its own labeling regulations

Enterprise Rancheria of Maidu Indians  
Equal Employment Opportunity Commission  
European Union  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Reserve System  
Federal Trade Commission  
Financial Crimes Enforcement Network  
Financial Stability Oversight Council  
Food and Drug Administration  
National Institute of Standards and Technology  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration  
National Security Council  
New York State Department of Financial Services  
North Fork Rancheria of Mono Indians  
Nuclear Regulatory Commission  
Office of the Comptroller of the Currency  
Office of the U.S. Trade Representative  
Securities and Exchange Commission  
Southern Nevada Water Authority  
U.S. Attorney's Office  
U.S. Department of Agriculture  
U.S. Department of Defense  
U.S. Department of Defense Office of Inspector General  
U.S. Department of Energy  
U.S. Department of Homeland Security



regarding the definition of "milk." The longer terms like soy milk, almond milk and coconut milk remain in use, the stronger the argument for their continued use to describe these products, say attorneys with Shook Hardy & Bacon LLP. [Read more »](#)

### **Real Estate Industry In Anti-Money Laundering Crosshairs**

An advisory issued this week by the Financial Crimes Enforcement Network offers glimpses into FinCEN's strategy to combat money laundering in the residential real estate sector — a strategy that may have significant adverse implications for U.S. real estate lawyers, says Kevin Shepherd of Venable LLP. [Read more »](#)

### **CFPB Arbitration Rule: What To Know And How To Plan**

Unless Congress invalidates the Consumer Financial Protection Bureau's recently announced arbitration rule through use of the Congressional Review Act or other (more protracted) means, the rule will become effective Sept. 18. Attorneys with Hogan Lovells examine what this means for covered financial institutions and what they should do now. [Read more »](#)

### **NY Regulations Set The Bar High For Cybersecurity Standards**

New York's cybersecurity regulations take effect on Aug. 28, marking a significant milestone in what is likely to be a new era in cybersecurity regulation on both a national and international level. The regulations are already playing a role in setting expectations for best practices across the financial services industry, say attorneys with Cleary Gottlieb Steen & Hamilton LLP. [Read more »](#)

### **What's Changed Under Delaware's New Data Breach Law**

For the first time in 12 years, Delaware has updated its data breach disclosure law, joining a small but growing number of states that impose data security requirements on persons

U.S. Department of Justice  
U.S. Department of State  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. House of Representatives  
U.S. Senate  
U.S. Supreme Court  
United Auburn Indian Community  
United Nations

conducting business in the state and owning, licensing or maintaining personal information of residents, says William Denny of Potter Anderson & Corroon LLP. [Read more »](#)

### **Heller Sequels And 2nd Amendment, Still Undecided: Part 3**

In the final installment of this three-part series, attorney Robert W. Ludwig concludes his deep dive into the controversial history of Second Amendment jurisprudence. [Read more »](#)

Opinion

### **Cobell Buy-Back Must Advance Indian Country Interests**

The Cobell buy-back program is the result of a settlement, and its implementation should be focused on how best to serve the plaintiff class and the communities from which they come. Because the Trump administration's July 28 announcement is a dramatic departure from this approach, it should be reconsidered, says Keith Harper of Kilpatrick Townsend & Stockton LLP. [Read more »](#)

## **LEGAL INDUSTRY**

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Analysis

### **4 Tips For Creating A Successful Law Firm Podcast**

As podcasts grow in popularity, BigLaw is capitalizing on the trend, with new shows created by law firms popping up regularly — but not all of them are created equal. Here, experts offer four tips for creating a killer podcast. [Read more »](#)

### **Freshfields Won't Increase Associate Pay Bands This Year**

Freshfields Bruckhaus Deringer LLP decided not to raise the pay bands for its trainees and young associates in London for this year, with newly qualified attorneys continuing to earn £85,000 after a £17,500 increase last year, the firm confirmed to Law360 on Thursday. [Read more »](#)

## **Law360's Weekly Verdict: Legal Lions & Lambs**

Amazon won approval Wednesday for its planned \$13.7 billion acquisition of Whole Foods, earning the retail giant's attorneys at Sullivan & Cromwell LLP and Covington & Burling LLP a spot on this week's legal lions list, while a \$417 million jury verdict against Johnson & Johnson over a link between the company's talcum powder and cancer landed its counsel at Tucker Ellis LLP, Sidley Austin LLP, Proskauer Rose LLP and Shook Hardy & Bacon LLP among this week's legal lambs. Read more [1/2](#) B

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**From:** Public Policy Law360  
**Sent:** Monday, August 28, 2017 5:20 AM  
**To:** Rep30  
**Subject:** GOP Lawmakers Urge Trump To Extend DACA



Monday, August 28, 2017



## TOP NEWS

### **GOP Lawmakers Urge Trump To Extend DACA**

A group of House Republicans have urged President Donald Trump to retain the Deferred Action for Childhood Arrivals program, suggesting the administration instead focus its immigration enforcement efforts on criminals. [Read more »](#)

### **Trump Officially Reinstates Transgender Military Ban**

President Donald Trump penned a presidential memo Friday instructing the U.S. Department of Defense to stop accepting transgender individuals who seek to enroll in the military, taking an official step toward implementing the policy change since he first announced his intentions in a July 26 tweet. [Read more »](#)

### **Yellen Cautions Against Broad Bank Rule Rollback**

Federal Reserve Chair Janet Yellen on Friday said that the regulatory changes put in place after the financial crisis have made banks and other aspects of the financial system significantly safer, and warned against making big changes that could weaken those rules. [Read more »](#)



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#### LAW FIRMS

Altshuler Berzon  
Arnold & Porter Kaye Scholer  
Baker McKenzie  
Balch & Bingham  
Blank Rome  
Boies Schiller  
Chiesa Shahrinian  
Colson Hicks

## **Menendez, Feds Clash Over Bid To Adjourn Trial For Votes**

Prosecutors and defense counsel clashed again on Friday over Sen. Bob Menendez's bid to adjourn his upcoming corruption trial on certain days to allow him to participate in critical votes on Capitol Hill, three days after a New Jersey federal judge refused to grant such a request [Read more »](#)

## **Fed To Unveil Final Qualified Financial Contracts Rule**

The Federal Reserve said Friday it will soon release a final version of rules that would prevent investors from immediately breaking derivative and other financial contracts when a global bank fails. [Read more »](#)

## **Calif. Says IMDb Age Info Not Protected By 1st Amendment**

California's attorney general told a federal court judge on Thursday that IMDb's inclusion of actors' ages on its site is not protected by the First Amendment, with the Screen Actors Guild joining his push to deny the website a quick win in its suit over legislation meant to combat age-discrimination. [Read more »](#)

## **BANKING & SECURITIES**

### **Piwowar Didn't Abuse Acting Chair Role, SEC Watchdog Says**

The U.S. Securities and Exchange Commission's inspector general said Thursday that his office was unable to conclude that Commissioner Michael Piwowar exceeded his authority or undermined the agency's mission while acting chair, after a group of Democratic senators requested an investigation. [Read more »](#)

### **Rep. Waters Urges Hearing On SoFi Bid For Bank-Like Status**

Rep. Maxine Waters asked the Federal Deposit Insurance Corp. on Friday to hold a public hearing on an application by online

Cooley  
Drummond Woodsum  
Earthjustice  
Epstein Becker Green  
Galanda Broadman  
Gibson Dunn  
Greenbaum Rowe  
Greenberg Traurig  
Harder Mirell  
Harris Bricken  
Hobbs Straus  
Hoguet Newman  
Holland & Knight  
Hueston Hennigan  
Husch Blackwell  
Irell & Manella  
Jenner & Block  
Jones Day  
Kirkland & Ellis  
Kobre & Kim  
Kozyak Tropin  
Latham & Watkins  
Lynn Pinker  
McCarter & English  
McDermott Will  
Moore & Van Allen  
Morgan Lewis  
Morris Manning  
Morrison & Foerster  
Neville Peterson  
Norton Rose Fulbright  
Ogletree Deakins  
Orrick Herrington  
Paul Weiss  
Pepper Hamilton  
Pillsbury Winthrop  
Proskauer Rose  
Quinn Emanuel

lender SoFi to be given a bank-like status in Utah and become part of the federal bank account insurance scheme, saying the application raises questions of fairness and oversight. [Read more »](#)

## ENERGY & ENVIRONMENTAL

### **5th Circ. Won't Send Texas-EPA Air Quality Fight To DC**

The Fifth Circuit on Friday rejected the U.S. Environmental Protection Agency's bid to transfer a dispute with Texas over air quality standards to the D.C. Circuit, saying the agency hasn't shown that the Lone Star State is challenging an EPA action that is applicable or effective nationwide. [Read more »](#)

### **Power Cos. Take NY Nuclear Plant Subsidy Fight To 2nd Circ.**

A coalition of independent power producers on Thursday asked the Second Circuit to weigh in on a New York federal judge's backing of the Empire State's plan to subsidize struggling nuclear power plants, the judge rejecting arguments that the plan intrudes on federal jurisdiction of wholesale electricity markets. [Read more »](#)

### **Enviros Seek Records On Industry Role In Fuel Reg Rollback**

The Center for Biological Diversity wants the federal government to hand over any communications it may have had with auto industry lobbyists related to the potential rollback of fuel economy standards, the environmental group announced Thursday. [Read more »](#)

### **Mo. City Hurt More If It Wins Water Standard Case, EPA Says**

The U.S. Environmental Protection Agency told the Eighth Circuit Thursday to toss a case filed by the city of Kennett, Missouri, opposing EPA-approved pollution limits for a wastewater treatment plant, saying if the city won its case it

Richards Layton  
Riley Safer  
Robert & Robert PLLC  
Rothwell Figg  
Sanford Heisler  
Sidley Austin  
Skadden  
Solomon Blum  
Spencer Fane  
Spiegel & McDiarmid  
Stinson Leonard  
Stoel Rives  
Sullivan & Cromwell  
WilmerHale

## COMPANIES

AARP Inc.  
AT&T Inc.  
Amazon.com Inc.  
American Bar Association  
American Cancer Society Inc.  
American Federation of Labor and Congress of Industrial Organizations  
American Federation of Television and Radio Artists  
American International Group Inc.  
Ariosa Diagnostics Inc.  
Bank of America Corporation  
Business Roundtable  
CITGO Petroleum Corp.  
Calpine Corporation  
Center for Biological Diversity Inc.  
Center on Budget and Policy Priorities  
Chevron Corporation  
Cisco Systems Inc.  
Dynegey Inc.  
EchoStar Corporation  
Exelon Corporation

would actually cost the city more, not less.  
[Read more »](#)

## HEALTH & LIFE SCIENCES

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### **RoxyBond Rival Can't Use Suit To Delay Sales, FDA Says**

Pharmaceutical Manufacturing Research Services Inc. can't use a suit challenging how quickly the U.S. Food and Drug Administration responded to safety concerns it raised in citizen petitions to effectively delay a competitor coming on the market with its abuse-deterrent opioid RoxyBond, the agency told a Pennsylvania federal court Thursday.  
[Read more »](#)

## IP & TECHNOLOGY

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### **Trump Taps Irell Partner Andrei Iancu To Lead USPTO**

The White House nominated Irell & Manella LLP managing partner Andrei Iancu on Friday to lead the U.S. Patent and Trademark Office, where the intellectual property litigator would fill the role vacated by Michelle Lee in June.  
[Read more »](#)

## TRANSPORTATION & INFRASTRUCTURE

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### **GWB Scandal Figures Urge 3rd Circ. To Toss Convictions**

Two former associates of New Jersey Gov. Chris Christie on Friday called on the Third Circuit to toss their convictions on charges of reducing local access lanes to the George Washington Bridge in an act of political payback, claiming that the alleged revenge scheme did not amount to a crime. [Read more »](#)

## EMPLOYMENT

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Facebook  
Fannie Mae  
Freddie Mac  
Gilead Sciences Inc.  
Global Automakers  
Goldman Sachs Group Inc.  
Google Inc.  
Independent Community Bankers of America  
International Brotherhood of Teamsters  
International Swaps and Derivatives Association  
Johnson & Johnson  
Kirkland's, Inc.  
Ladish Co., Inc.  
Lehman Brothers Holdings Inc.  
Luminant Generation Co. LLC  
Lyft Inc.  
Microsoft Corporation  
Motorola Mobility LLC  
NRG Energy Inc.  
National Association of Broadcasters  
National Association of Manufacturers  
National Right to Work Legal Defense Foundation  
Platinum Partners LP  
QUALCOMM Incorporated  
S.A.C. Capital Advisors LP  
Santander Consumer USA Holdings Inc.  
Sequenom, Inc.  
Sierra Club  
Stepan Co.  
Talen Energy Corp.  
The Cato Corporation  
The Nature Conservancy  
TiVo Corp.

### **Atlantic City Firefighters Score Victories To Avoid Layoffs**

Atlantic City firefighters won a pair of victories on Friday when a New Jersey state judge blocked the state from immediately reducing their department by about 25 percent and Gov. Chris Christie signed legislation requiring that such personnel be offered an early retirement incentive plan before the state could fire them. [Read more »](#)

### **Judge Unleashes Seattle's Uber Unionization Law**

A Washington federal judge on Thursday lifted a preliminary block on Seattle's Uber ordinance allowing gig-economy drivers to unionize, dismissing one suit brought by drivers and denying the U.S. Chamber of Commerce a new injunction as the business lobby seeks to revive its antitrust challenge. [Read more »](#)

## **INTERNATIONAL TRADE**

### **Biz Groups Want Strong Arbitration Rules Kept In NAFTA**

A trio of the most powerful U.S. business coalitions stressed the importance of a strong international arbitration system in a letter to Trump administration officials involved in the renegotiation of the North American Free Trade Agreement, a day after the president said the U.S. could still ax the pact. [Read more »](#)

### **Trump Slaps Venezuela's Maduro Regime With Sanctions**

President Donald Trump announced Friday that his administration would impose new economic sanctions on the regime of President Nicolás Maduro in response to what it characterized as attacks on Venezuela's democratic institutions. [Read more »](#)

### **ITA To Probe Fittings Stamped 'Malaysia' To Skip China Duty**

U.S. Chamber of Commerce  
Uber Technologies Inc.  
Verizon Communications  
Warner Bros.

## **GOVERNMENT AGENCIES**

Confederated Tribes of Warm Springs  
Department of Commerce  
Equal Employment Opportunity Commission  
European Union  
Executive Office of the President  
Federal Communications Commission  
Federal Deposit Insurance Corp.  
Federal Energy Regulatory Commission  
Federal Housing Administration  
Federal Reserve Bank of Kansas City  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Hopi Tribe  
International Trade Administration  
International Trade Commission  
Las Vegas Paiute Tribe  
NAFTA  
National Economic Council  
National Highway Traffic Safety Administration  
Navajo Nation  
New York Attorney General's Office  
Office of Foreign Assets Control  
Office of Justice Programs  
Office of the Comptroller of the Currency  
Port Authority of New York & New Jersey



The Department of Commerce will investigate allegations from domestic producers that pipe fittings from Malaysia actually originate in China and thus circumvent anti-dumping orders, a decision published Friday said. [Read more »](#)

## IMMIGRATION

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### **Trump Admin. Hits Back At Chicago In Sanctuary City Fight**

The U.S. Department of Justice took a swipe at the city of Chicago's request that an Illinois federal judge block the federal government's new immigration-focused conditions on a public safety grant, saying it would effectively hand over control of the program to the city. [Read more »](#)

### **Dems Decry Withholding Of Grant Funds To Sanctuary Cities**

Dozens of Democratic lawmakers decried new restrictions on violence prevention funds that they said were designed to coerce cities nationwide into complying with the Trump administration's immigration agenda, demanding in a Thursday letter to U.S. Attorney General Jeff Sessions that he defend the Department of Justice's legal authority to implement them. [Read more »](#)

## NATIVE AMERICAN

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### **Tribal-State Weed Deals Stay Hot In Spite Of Feds**

Native American tribes are enjoying success with marijuana businesses launched under compacts with states where the drug has been legalized, and attorneys say those deals are likely to keep growing in popularity as tribes look to boost their bottom lines and ally with states as a bulwark against potentially unfriendly federal authorities. [Read more »](#)

### **Tribal Leaders 'Outraged' Over Rumored Monument Shrinkage**

Pueblo of Zuni  
Securities and Exchange Commission  
Suquamish Tribe  
U.S. Department of Defense  
U.S. Department of Health and Human Services  
U.S. Department of Homeland Security  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of Transportation  
U.S. Department of the Interior  
U.S. Department of the Treasury  
U.S. Environmental Protection Agency  
U.S. Immigration and Customs Enforcement  
U.S. Navy  
U.S. Patent and Trademark Office  
U.S. Senate  
U.S. Supreme Court  
United States Court of Appeals for the Ninth Circuit  
Ute Indian Tribe  
Ute Mountain Ute Tribe  
World Trade Organization

The Bears Ears Inter-Tribal Coalition expressed "outrage" Thursday over rumblings that U.S. Department of the Interior Secretary Ryan Zinke has recommended President Donald Trump scale back the Bears Ears National Monument. [Read more »](#)

## TELECOMMUNICATIONS

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### **ONE Media Urges FCC Not To Over-Regulate 'Next-Gen TV'**

The Federal Communications Commission should avoid "over-regulation" as part of the deployment of the "next generation" broadcast television standard by looking to specify interference requirements instead of technical standards, ONE Media told commission officials on Thursday. [Read more »](#)

## EXPERT ANALYSIS

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### **Opinion**

### **Steel Imports Are Not A National Security Issue**

House Ways and Means Committee Chairman Kevin Brady is right — this is not the right approach to deal with steel imports. And like it or not, using bogus claims of "national security" as a pretext for what amounts to naked protectionism will invite retaliation from our trading partners, says Donald Cameron of Morris Manning & Martin LLP. [Read more »](#)

### **EEOC Wellness Regs Ironically Join The Walking Dead**

A Washington, D.C., federal court's recent decision in AARP v. U.S. Equal Employment Opportunity Commission puts employers in a difficult position. Under the agency's current circumstances, it seems reasonable to expect that it may take some time to even determine how it will proceed, says Frank Morris Jr. of Epstein Becker Green. [Read more »](#)

### **Sellers Are Not Liable For Independent Contractors' Calls**